DOCUMENT RESUME

ED 226 102 CE 033 867

AUTHOR Hall, John C.; And Others
TITLE The Out-of-State Placement of Children: A National Survey. Major Issues in Juvenile Justice Information and Training.
INSTITUTION Academy for Contemporary Problems, Columbus, Ohio.
SPONS AGENCY National Inst. for Juvenile Justice and Delinquency Prevention (Dept. of Justice/LEAA), Washington, D.C.
PUB DATE 82
GRANT 78-JN-AX-0038
NOTE 196p.; For related documents see CE 033 866, ED 223 827-828, and ED 223 850-857.
PUB TYPE Reports - Research/Technical (143) -- Statistical Data (110)

EDRS PRICE MF01/PC08 Plus Postage.
DESCRIPTORS Adolescents; Adoption; *Children; *Court Litigation; Delinquency; *Delinquent Rehabilitation; Foster Family; Juvenile Courts; *Laws; *Placement; Preadolescents; Runaways; State Legislation; Youth; Youth Agencies; Youth Problems

ABSTRACT

This report summarizes data collected in the "most ambitious study of the out-of-state placement of children ever undertaken in America." It reports data gathered for the year 1978 from more than 20,000 public agencies in all 50 states and the District of Columbia and from more than 50 counties, including 60,000 individual contacts. The volume is made up of two chapters. In chapter 1, the reasons for the study are explained and the methodology of the data collection is discussed. Chapter 2 presents a descriptive summary and state-specific information collected from the national survey. The following topics are discussed in chapter 2: (1) organization of youth services in state and local government; (2) the number of children placed in out-of-state residential settings; (3) the types of children; (4) the categories of placement and states of destination; (5) costs; (6) reasons associated with out-of-state placement practices; (7) use of compacts; (8) monitoring practices for out-of-state placements; (9) the availability and reliability of information in state government; and (10) the placement policies and practices of federal agencies. Appendix A includes a more detailed discussion of methodology of the study as well as copies of survey instruments. Appendixes B through D contain national tables of citations, by state, concerning the enactment of interstate compacts, along with the compact texts. (Five volumes of state profiles in separate documents provide a systematic comparable presentation of descriptive information about each state and the District of Columbia.) (KC)

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MAJOR ISSUES IN JUVENILE JUSTICE INFORMATION AND TRAINING

The Out-of-State Placement of Children: A National Survey

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1982

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U.S. Department of Justice
Office of Juvenile Justice and Delinquency Prevention
National Institute for Juvenile Justice and Delinquency Prevention

CE 033 867

Major Issues in Juvenile Justice Information and Training Project

This volume is one of a series of books and monographs of Project MIJJIT, to be published by the Academy for Contemporary Problems in 1981 and 1982.

- The Out-of-State Placement of Children: A National Survey
  (State profiles appear in five supplemental volumes.)
- The Out-of-State Placement of Children: A Search for Rights, Boundaries, Services
  (Text in master volume; appendixes in Volume 2.)
- Youth in Adult Courts: Between Two Worlds
  (State profiles appear in five supplemental volumes.)
- Services to Children in Juvenile Courts: The Judicial-Executive Controversy
- Grants in Aid of Local Delinquency Prevention and Control Services
- Readings in Public Policy

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Prepared under Grant Number 78-JN-AX-0038 from the National Institute for Juvenile Justice and Delinquency Prevention, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice.

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Printed in the United States of America

Library of Congress Catalog Card Number: 81-65995

Graphic arts by Production Circuit, Inc.

Logo design by Sara Hall

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PREFACE

This report constitutes the most ambitious study of the out-of-state placement of children ever undertaken in America. Our objective consisted of nothing less than determining, in a single year, every instance in which a juvenile court or correctional agency, a child welfare agency, a mental health or mental retardation agency, or a school district placed or helped to relocate a child outside his or her state of residence. The search led us to over 20,000 public agencies in all 50 states and the District of Columbia, and to the more than 3,000 counties in this country. Some 60,000 individual contacts gave rise to a data base in excess of a million elements. What results is an authoritative baseline of information that can be used for research, policy development, legislation, and retrospective comparison for many years. The data can easily be referenced by county, by state, or by the types of agencies responsible for the placements in question. For the first time in this country's history, we have an accurate accounting of how often public agencies intervene to place children outside their homes in states other than those in which they normally reside.

Why should anyone care? It is a fair question and deserves an answer. Issues surrounding the interstate placement of children have arisen within many contexts during this country's history, from the absorption of European immigrants into our Atlantic seaboard cities to the opening of our western frontiers. Not since before World War I, however, has so much public discussion been focused on the topic. Current interest has been generated by two related but dissimilar phenomena: evidence that some children have been subjected to abuses in residential facilities, and the growing application, over the past decade, of due process and equal protection principles to juvenile justice practices. They have become reflected in landmark cases in Louisiana and New York, in special investigations by legislatures in Illinois and New Jersey, and in tough new legislation in Virginia and Texas. Congressional concern became evident when, in 1977, it mandated the Office of Juvenile Justice and Delinquency Prevention to "prepare, in cooperation with educational institutions, federal, state, and local agencies, and appropriate individuals and private agencies, such studies as it considers necessary with respect to...the improper handling of youth placed in one state by another state." This report is in direct response to that mandate.

In a very real sense, the fundamental question has not changed over the past century. We are still asking how can we best provide for our children in such a way as to ensure the perpetuation of our way of life. The obvious questions over the relative merits of separating children from their families become intertwined in the vast geography and intricate political structures of this country. As a federal republic, extending across a land mass in excess of 3.5 million square miles, moving children across state lines raises a number of questions. How can we measure, for example, the benefit of a particular out-of-state placement against the disadvantage of separating a child from his or her family, home, and community? Where does the legal authority of a sending state end and that of a receiving state begin? What safeguards should be built into the practice of placing children outside their states of residence in order to make certain that intended objectives are achieved?

It is not our intention to argue for or against interstate placements of children. Our research revealed as many sound reasons in favor of the practice as we found against it. The problem has been that, until now, only anecdotal information was available to administrators, legislators, and advocates whenever the question was debated on a national level. We believe that, with the completion of this study, the quality of public debate can be substantially elevated. Factual information, once retrieved, can directly improve the rationality of public decisions. We sincerely hope that our efforts have contributed to that end.

Joseph L. White
Project Director

October 1981

ACKNOWLEDGMENTS

It is with much appreciation that we acknowledge the contribution of the many people who helped make this report possible. We are especially grateful for the cooperation of the more than 25,000 state and local officials who, despite the normal pressures of their duties, devoted time and resources to answering our questions and assisting our research. We sincerely hope this report serves their interests and extends their knowledge about the out-of-state placement of children.

Several other persons and organizations aided our research. Interstate compact officials were particularly helpful. In particular, we would like to thank Polly Champ, Jane Hotchkiss, Jane McMonigle, Terri Sheehan, and Alice Ziemke for their special counsel and support. Also, Bruce Gross and the American Public Welfare Association deserve our gratitude for sharing important information about new developments in the administration of the Interstate Compact on the Placement of Children.

The National Criminal Justice Reference Service, and Clergue Jones in particular, was most helpful in keeping us apprised of the literature related to our study. We would also like to express our appreciation to the National Center for Juvenile Justice for allowing the use of its juvenile population estimates. Further, our knowledge about the policies and practices of federal agencies was made possible through the kind help of several persons, including Joseph Rhea of CHAMPUS; Constance Springmann of the Bureau of Prisons; and Joseph Holmes, Jack Williams, Evelyn Bauer, and Tom Anderson of the Bureau of Indian Affairs.

The expertise of the Ohio Bell Telephone Company was particularly useful in planning for the national telephone survey and in developing a useful telephone interview training package. We are also especially grateful for the excellent assistance and efforts of Appropriate Solutions, Inc., which fulfilled important responsibilities for data reduction, computerization, and programming.

PROJECT MIJJIT ADVISORY COMMITTEE

We are very much indebted to the individuals who served as an Advisory Committee to this Project, and to their respective organizations which made their participation possible. Individually and as a group, the Advisory Committee members acquitted themselves with distinction. The meetings were frequent and intensive; the reading material was both technical and voluminous. Through it all, they persevered, motivated by their concerns for children and by their own personal standards. Through this introduction, their contribution to the production of this volume is gratefully acknowledged.

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CHAPTER 1

CHAPTER I

INTRODUCTION

The placement of children in out-of-state residential settings has an extensive association with American child welfare policy. For well over a century, children have been placed by public and charitable youth-serving organizations in the custody of relatives and strangers, special schools, and institutions located outside their states of residence. Historians have suggested that European ideology directly influenced the evolution of out-of-state placement practices in America. Some writers have argued that the placement of children in out-of-state homes was one of the early successful alternatives for commitments to jails and reform schools.[1] Whatever the causes and effects, the fact is that out-of-state placement practices began with the establishment of the Republic.

The first real documentation about out-of-state placement policies and practices in this country can be traced to the year 1853 in New York City. Charles Loring Brace, the founder of the New York Children's Aid Society, conceived of an innovative and drastic cure for the welfare of thousands of dependent and delinquent children living as vagrants in the slums of New York City. He named this remedy "placing-out," and it resulted in the placement of 91,536 children in homes across the country over the next 40 years.[2] Brace hoped to demonstrate that institutional care was not the most appropriate response to the problems of child vagrancy and delinquency, and that living with foster families was more likely to produce socially productive adults.

The "placing-out" system evolved from European philosophies about emigration and indenture. In addition, the ethics surrounding education, religion, and work acted to form the foundation of "placing-out" as a means of preventing crime and delinquency. Circulars were sent to churches, farmers, merchants, and industrialists soliciting "good Christian homes in the country" for dependent and neglected children. The idea of labor in exchange for room, board, religious instruction, and education was commonly accepted as an excellent arrangement during that period of America's history.

Officials from the society in New York visited each home within a few months after a placement was made to determine whether or not the child should remain there. After the initial visit, contact was maintained by mail and other personal visits every year or two. Obviously, costs associated with arranging and monitoring the placements were minimal. Records show that in 1860, the society expended an annual amount of $10.29 per child, incurred primarily for transportation.[3]

The "placing-out" system received considerable attention from professionals and certain interest groups concerned with child welfare. Some viewed the practice as an important and profound advancement in child welfare policy. Others voiced strong criticism about its disruptive and involuntary character.

Critics argued that the practice was as coercive as indentured servitude and cited many cases of abuse. Major opposition was also received from sectarian groups, claiming the practice was really a Protestant method of proselytizing Catholic children. An interesting counterpoint to the "placing-out" philosophy arose as receiving states began to express alarm about the probability of higher rates of delinquency and child vagrancy in their own states.

In 1877, Michigan passed the first law attempting to regulate "placing-out." This statute was amended in 1895 to require any organization or person placing children in Michigan from another state to file a bond in the probate court in the county in which the child was placed. In 1899, Indiana, Illinois, and Minnesota enacted similar regulatory legislation. In effect, these laws attempted to prohibit certain types of children from entering these states and required minimum standards for the homes which received children from out of state. Since the midwest received the majority of placements from the New York Children's Aid Society, it is not surprising that such regulation occurred first in that part of the country.

It should be understood that many out-of-state placements are arranged by the parents, relatives, or guardians of children, private youth-serving agencies, family attorneys, and religious organizations. Governmental concern for these privately arranged placements has been considerably less than for those placements involving the direct actions of agencies operated under public auspices. Presumably, privately arranged out-of-state placements are fundamentally voluntary in nature and do not involve the expenditure of public funds. When they are not voluntary, even though privately arranged, courts will intervene; however, the issue generally focuses upon questions of emancipation or abuse, not the fact that a child was sent to live in an out-of-state placement. On the other hand, governmental attention to out-of-state placements which are arranged by public agencies is quite appropriate and essential. Typically, out-of-state placements ordered or arranged by juvenile courts, child welfare agencies, and other public youth-serving agencies are involuntary and publicly financed. For these reasons, this study was mainly concerned with examining the out-of-state placement practices and policies of state and local public agencies.

Over the years, the concerns of states over the out-of-state placement of children continued to receive increased attention. In the 1940s and 1950s, regulatory legislation as well as three interstate compacts were enacted in most states to help control and facilitate the out-of-state placement of children. More recently, intensive examinations by news media, in addition to studies by state agencies, legislatures, and advocacy groups, have raised public concerns about how children are treated when they are sent to other states. At the same time, investigators documented just how difficult it is to systematically gather and analyze data on the practice. Similar to the issues raised about "placing-out" in the 19th century, current concern has been generated primarily by two important factors:

- A possibility that, because distance reduces the likelihood of effective public scrutiny, children placed in other states may be subjected to abusive conditions, substandard facilities, or undesirable foster homes.

- A possibility that due process and equal protection benefits are not necessarily received by children placed outside the jurisdictions of their home communities and local agencies.

These concerns can be framed in a variety of ways. Some of them, which became pertinent to the study, are listed below:

- How many children are placed in out-of-state residential care with the assistance of public agencies? Why are they placed and how much does it cost?

- What is the character of public policies established to regulate the out-of-state placement of children?

- To what extent are existing regulatory and monitoring practices effective? What improvements are necessary with respect to specific regulatory practices and organizational development?

- What aspects of law, public administration, social policy, and professional ethics are important considerations for the protection of children placed in out-of-state residential care?

- What are the relative merits, if any, of removing children from their own homes and sending them to live for prolonged periods of time in other states?

- To what extent have the interstate compacts accomplished what they were intended to do?

- What is the influence of other aspects of child welfare policy upon the interstate placement of children?

THE OBJECTIVES

In response to these concerns, the National Institute for Juvenile Justice and Delinquency Prevention was authorized by Congress in 1977 to:

> (5) prepare...such studies as it considers necessary...including recommendations to promote effective prevention and treatment, such as assessments regarding...the improper handling of youth placed in one state by another state.[4]

In November 1978, the National Institute provided the Academy for Contemporary Problems with support to conduct a national study about the out-of-state placement of children. A staff of attorneys, social scientists, educators, and public administrators was assembled to conduct the research in cooperation with a nationally selected advisory committee. The major goal of the study was to establish a comprehensive national base of information which would support

improved policy and planning about the out-of-state placement of children at the national, state, and local levels of government.

Several specific research objectives were set forth in support of this goal. The primary objectives included:

- To conduct a search and analysis of all state statutes and regulatory policies pertaining to the interstate placement of children.
- To conduct a search and analysis of all relevant professional publications, related research, state investigative reports, and news articles concerning the out-of-state placement of children.
- To conduct a national survey of the incidence of out-of-state placements in 1978 among all public agencies responsible for child welfare, education, juvenile justice, mental health, and mental retardation. The survey was to encompass public agencies in both state and local (primarily county) governments.
- To determine the policies and practices involving the out-of-state placement of children in 1978 among relevant federal agencies; i.e., the Bureau of Indian Affairs, the Bureau of Prisons, and the Department of Defense (CHAMPUS).
- To conduct on-site field studies in seven states for a more intensive analysis of the policies and practices relating to the out-of-state placement of children.

THE FEASIBILITY STUDY

The research design in pursuit of these objectives resulted from a feasibility study conducted in 1977 by the Academy, in conjunction with the Council of State Governments.[5] That study reflected such practices in three selected states: Illinois, North Carolina, and Texas. Data were gathered and numerous people, both inside and outside of government, were interviewed in order to determine the real nature of and reasons for sending and receiving children across state lines. In addition, an extensive review was conducted of interstate compacts and other statutes, and the literature pertaining to interstate placements of juveniles. Based upon conclusions reached from both the research into the critical issues surrounding interstate placements and into the retrieved data pertaining to them, a series of recommendations were offered. The current study was predicated upon those recommendations.

Without reiterating, verbatim, the conclusions and recommendations enumerated in the feasibility study, the following synopsis is offered so that this study might be better understood in light of the work already done.

- Attempts to apply constitutional doctrines to the interstate placement of children is a recent development. Specific constitutional

issues raised for the first time within the past few years include infringements of due process, equal protection, right to treatment, and First Amendment associational interests.

- Most statutes authorizing judicial or executive agency placements of children out of their own homes do not limit such placements to in-state care. In fact, geographic restrictions of any kind are rare.

- Although specific case law is minimal, the doctrines of full faith and credit, comity, and long-arm jurisdiction appear to give considerable bases to the legality and enforceability of interstate placement orders.

- The majority of states have some form of statutory basis for legitimizing interstate placements. These statutes are generally referred to as child importation and exportation laws. Statutes authorizing state agencies to certify or license residential facility operations are also used to require the reporting of incoming placements from other states.

- Data sources in each of the states varied in availability, adequacy, validity, reliability, and retrievability. Typically, cognizant state officials believed they were aware of practically all the placements. In reality, they knew of a relatively small portion of the children sent or received across state lines, according to data acquired by the Academy from receiving facilities within the respective states.

- It was possible to obtain reliable data from state government agencies about the number of children sent out of state only under the following circumstances:

  a. When a state agency was the sender.

  b. When a state agency paid for the placement.

  c. When a child was placed under an interstate compact.

  d. When a local agency informed a state agency of a placement due to state enforcement of reporting requirements.

- National research has to be organized to include local public agencies as original data sources. It would then be possible to determine the number of children placed out of state when:

  a. A local court or public agency placed a child and paid for the placement with local funds.

  b. A local court or public agency placed a child in a free placement.

  c. Out-of-state placements were proscribed, but occurred anyway.

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- It is not feasible to obtain accurate numbers about placements when:

  a. A parent, guardian, custodian, attorney, or family placed a child directly in an out-of-state facility.

  b. Foster parents move and take the child with them.

  c. A child is placed under the auspices of certain religious groups that maintain interstate networks of child care facilities.

THE SURVEY METHODOLOGY

Considering the conclusions derived from the feasibility study and the objectives for the research, a design was formulated for conducting a national survey of the incidence of out-of-state placements involving public agencies.[6] This survey was intended to:

- Determine the extent to which certain public agencies arrange for and are otherwise involved in placing children out of state and in foreign countries.

- Provide a national census and comparable state/county-specific baselines of children placed out of state in 1978.

- Gather related indicators of public policy and state law for a systematically controlled analysis of national practices.

- Develop a base of information which would facilitate recommendations for policy development and change.

These fundamental design issues were addressed at an early juncture in formulating the survey methodology. The most significant issues included an operational definition of the out-of-state placement phenomenon and a determination of the unit of analysis. Judgments reached about these two issues guided not only the scope and type of information sought through the survey method, but also shaped decisions concerning the kinds of agencies and agency practices which would be examined in the national survey. Therefore, these design issues are critical to understanding the results of the survey because they guided the collection and collation of information on the out-of-state placement practices of each agency surveyed.

The Out-of-State Placement of Children: A Definition

First, it was decided that the national survey would focus on sending practices, or those actions taken by a public agency associated with placing children in another state or in a foreign country.[7] For this reason, the term "interstate" placement was abandoned and replaced with "out-of-state" placement, which more clearly denotes the study's focus on sending practices.

The Academy decided, as part of the research design, to count only the incidence and not the prevalence of out-of-state placements. In this way, only placements initiated in 1978 were included, which meant that children already residing in an out-of-state placement as a result of decisions made prior to 1978 were excluded from the survey.[8] In this manner, it was expected that the statistical frequency obtained would be only reflective of public agency decisions during one 12-month period.

In addition, out-of-state placements with natural parents and returns of runaways were excluded. Only children placed out of state through the intervention of a public agency into boarding schools and other residential facilities, foster homes, and the homes of relatives or adoptive parents were counted.

Public agencies are involved in out-of-state placements in a number of ways, yet not all types of involvement were sufficiently important to include as part of the survey. For example, instances which mainly consisted of providing information to parents or other agencies, such as naming appropriate facilities in which to place a particular child, were not recorded. The agency's involvement must have included some form of active participation in the decision to place a child out of state.

There are four basic ways in which an agency may be been involved in the out-of-state placement of children, and these four ways were considered in the study. An out-of-state placement was defined as one in which a public agency:

1. Ordered a child to be placed out of state.

2. Placed a child out of state under its guardianship powers or some other legally authorized procedure.

3. Paid for an out-of-state placement which was arranged by parents or another agency.

4. Arranged an out-of-state placement for parents or another agency, but did not pay for the services the child was to receive.

The Unit of Analysis: A Definition

The national survey, data collection instruments, and analytic functions all relate to a common and basic unit of analysis; namely, any public agency, under the auspices of either state or local governments, responsible for

services to youth. The survey focused upon the five types of state and local public agencies that have the most prominent and enduring responsibilities for delivering services to children and youth:

- Child Welfare.
- Education.
- Juvenile Justice.
- Mental Health.
- Mental Retardation.

Juvenile justice agencies included departments of juvenile corrections, juvenile probation and parole units, and courts with juvenile jurisdiction. State departments of education, school districts, and all special education units comprised the area of education. The mental health, mental retardation, and child welfare categories consisted of state and local agencies possessing such authority, usually departments of mental health and retardation, public welfare, or services for children. In some instances, these services were consolidated into larger agencies and administered by units within them. Generally, the umbrella agencies are designated departments of human resources, children and family services, or health and social services.

It was decided that the information collected from the national survey would be collated and maintained according to two distinguishing factors. The first factor involved the aegis of responsibility for the service. The survey was designed in a manner which would characterize out-of-state placement practices among various agencies according to the level of government--state or local--with administrative authority. Although in some instances an agency administered by either state or local government may operate with decentralized offices, bureaus, or other forms of regional, satellite, or neighborhood operations, the information gathered from the survey is aggregated to a unit of analysis which represents the highest level of government with administrative authority. Therefore, the units of analysis included in the survey cover state agencies, county agencies, subcounty agencies (such as school districts), and multicounty agencies such as district probation offices.

For descriptive purposes, findings about the incidence of out-of-state placements involving local agencies are sometimes examined according to the county or counties in which these agencies have jurisdiction. This departure from using agencies as the unit of analysis is seldom taken and generally not significant because an agency's jurisdiction normally includes an entire county or cluster of counties. However, in most states more than one school district was found to have jurisdiction in a single county. Wherever school districts were organized in this manner, the incidence of out-of-state placements involving school districts is aggregated to reflect the practices of all such agencies in the county.

The second distinguishing factor for determining the unit of analysis involved the type of service administered by the agency. Five discrete types of services (or agencies) were included in the survey, as previously mentioned.

Information was then organized according to the type of service provided by the agency and the level of government with administrative responsibility.[9]

Determining the Universe and Identifying Respondents

Considering the kinds of agencies just described, it would appear to be a simple task to find the appropriately designated department, division, or bureau in state government. This was not always the case, and it was an even more difficult problem in local government. This process was made especially complex because of the frequent reorganizations that occur in government. In some cases, several contacts among different agencies had to be made before the correct agency could be identified.

For the most part, the Public Welfare Directory, prepared by the American Public Welfare Association, provided an excellent initial source of contacts.[10] This directory lists various officials in the states within most areas of service included in the survey, except in education. Typically, the initial contact was with an interstate compact administrator in the state child welfare agency who was asked to confirm the understanding for other pertinent service areas. Staff also came to rely upon state criminal justice planning agencies for juvenile justice information and upon informal networks of professional contacts.

The selection of respondents in state agencies was linked to responses to questions seeking to identify the most knowledgeable officials of child placement practices. In most states, compact administrators and special education directors were the key respondents in agencies under the auspices of state government.

Defining the universe and identifying respondents in appropriate local agencies was considerably more problematic. It was first necessary to understand the peculiar organization of services in each state. As discussed above, the survey calls for a clear demarcation between services under the auspices of state government and those administered and operated by local government. Contacts were not necessary for decentralized offices of state government, if some central source in the state agency could furnish comprehensive and reliable information about the agency's overall placement practices.

State officials commonly had directories of the local agencies and could provide staff with copies. Although these directories varied in quality and were sometimes outdated or otherwise inaccurate, they were very useful in locating appropriate local agencies. As with state agencies, the respondents were intended to be those individuals with the most knowledge of the agency's child placement practices. Typically, the local survey was conducted with persons in the following types of positions:

1. Child Welfare: directors, administrators for services to children.

2. Education: school district superintendents, special education directors.

3. Juvenile Justice: judges, chief probation officers, directors of court services.

4. Mental Health: directors, division administrators for services to children.

5. Mental Retardation: directors, division administrators for services to children.

Time Period

The survey of both state and local agencies took place between March 1979 and January 1980. The information collected represents the year 1978, as defined for recordkeeping purposes by the particular agencies. Considering the various reporting periods, the survey represents the period from April 1977 to August 1979. This range occurs because in some cases it represents the 1978 school year (which can begin in September 1978 and end in August 1979), in others the 1978 calendar year (January 1978 through December 1978), and in others the 1978 fiscal year. This latter reporting period can begin as early as April 1, 1977, or as late as October 1, 1977, and end as early as March 31, 1978, or as late as September 30, 1978. This differentiation is ignored in order to simplify the presentation of the data.

The Survey

The survey was organized into four phases of data collection and each phase required a unique instrument for systematically gathering information. All questionnaires designed and utilized in the survey are included in Appendix A. The discussion which follows outlines the kinds of information requested and the method of collection for each phase of the survey.

Phase I--State Agencies

A telephone survey was conducted of all state agencies responsible for child welfare, education, juvenile justice, mental health, and mental retardation services. Appropriate individuals were queried for information necessary to determine if their agencies:

- Placed children under its care and custody in out-of-state placements.

- Funded or received reports about out-of-state placements that were arranged by some other state agency or by local agencies.

- Arranged for the out-of-state placement of children.

In cases in which affirmative responses were received, interviewers determined the frequency of placements and the extent to which the knowledge of local practices was inclusive and accessible. This phase of the survey also involved a request for information about organizational structure and whether legislative interest had been expressed in the topic.

Phase II--State Agencies

As the Phase I data collection by telephone was completed, a mailed survey for Phase II was sent to all state agencies which had indicated that they had pertinent responsibilities for serving children. Basically, this second instrument was designed to gather the following information:

- The number and types of children placed out of state by certain kinds of placement arrangements.
- Corresponding costs and funding sources for out-of-state placements.
- Types of out-of-state facilities receiving the children.
- Destinations (i.e., receiving states or countries) of children placed out of state.
- Policy information relating to the types of regulation and monitoring that are implemented by the particular state agency.

Phase I--Local Agencies

A telephone survey was conducted of all agencies under the auspices of local government that were responsible for child welfare, education, juvenile justice, mental health, and mental retardation services. The respondents in these agencies were asked if the particular agency was involved in any way with placing children out of state. If not, they were asked to describe the reasons. If they had placed children out of state, information about the number and types of children was requested.

Phase II--Local Agencies

If at the time of responding to the Phase I survey more than four placements were reported for fiscal 1978, additional information was requested under a Phase II survey of local agencies. The data collected in Phase II is fairly comparable to the Phase II information obtained from state agencies:

- Verifications about the types of out-of-state placement arrangements made and the utilization of interstate compacts.

- Costs and funding sources for out-of-state placements.
- Types of out-of-state facilities receiving the children.
- Destinations of children placed out of state and the number of children sent there.
- Monitoring practices for out-of-state placements.

A few final remarks about the survey should be given. First, all of the Phase I and Phase II surveys among local agencies were not conducted in the same way. In a total of 23 states, the work was subcontracted to other organizations.[11] These subcontractors and the scope of their work on the survey are named and described in the state profiles which are organized by region into five volumes accompanying this one (see pp. 15 and 99). Usually, they were volunteer organizations, such as the League of Women Voters, and youth advocacy groups or small consulting firms familiar with particular states. Most of the contracted groups had conducted previous surveys and were interested in issues related to juvenile justice and child care practices. In order to safeguard the quality and comparability of the information collected, specialized training was given to all interviewers. The training largely consisted of four modules of verbal and written instruction:

- State-specific information related to the laws, organizational structures, and placement practices of the agencies which was gathered in the earlier stages of the research.
- A directory of agencies to be surveyed.
- The questionnaires and survey techniques to be utilized.
- Procedures for maintaining progress and handling difficult situations.

The written material that was covered in training sessions conducted for Academy interviewers consisted of a synopsis sheet of key methodological concerns, a Phone Power Program which describes various telephone survey techniques, and a sample descriptive narrative of state-specific information. As a point of interest, the Phone Power Program was developed expressly for the project, at no cost, by the Ohio Bell Telephone Company, a subsidiary of American Telephone and Telegraph Company.

The second aspect of the survey which should be understood concerns the limited use of sampling procedures among local agencies. As mentioned above, each state agency was asked to report about placements arranged by their counterparts in local government. Data were requested from state officials which would indicate the number of out-of-state placements arranged in 1978 by each local agency they supervised according to its county of jurisdiction. When local information was reported by state agencies, ten percent of the local agencies was sampled to verify the state-reported information. If the sample confirmed the reliability of the state data, no other contacts were made among those particular local agencies and the state-reported incidence of local placements was used. However, if the sample of local agency contacts revealed that the state-reported data were unreliable, the remaining 90 percent of the local

agencies were contacted. The data were, of course, displayed in such a manner as to reflect these survey findings, so that state-reported data are attributable to state placements, or state-reported local placements, or both. Where state-reported data reflecting local placements and locally reported data differ, the reader may compare the information from the two sources in order to better understand the discrepancies in reporting, use of interstate compacts, and intergovernmental relations. Furthermore, the possibilities of duplicative reporting about such placements is examined in each state profile and on a national basis.

The following format is typical of the manner in which data is displayed, in each state profile and illustrates the implementation of the methodological principles outlined above.

SAMPLE LAYOUT FOR REPORTING

THE NUMBER OF OUT-OF-STATE PLACEMENTS REPORTED BY STATE AND LOCAL AGENCIES IN 1978

Levels of Government Reporting	Type of Agency				
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
State Agencies					
Local Agencies					
County of Jurisdiction					
Adams					
Brown					
Cole					
.					
.					
.					
.					
.					
.					

PUBLICATIONS

Three separate publications will report the results from the Academy's research into the out-of-state placement of children. A brief description of each report follows.

The Out-of-State Placement of Children: A National Survey (this master volume plus the five regional volumes of state profiles) presents a national summary of out-of-state placement practices and describes the survey itself. Appendix A to this volume describes methodology and displays survey instruments. The five regional volumes describe, for each state and the District of Columbia, the administration of youth service systems, the incidence of out-of-state placements, and kinds of agencies involved, and the policies and procedures applicable to out-of-state placements. (See page 99 and inside back cover to obtain regional volumes.)

The Out-of-State Placement of Children: A Search for Rights, Boundaries, Services presents a detailed analysis of findings in the first volume, seven case studies offering in-depth examinations of state and local out-of-state placement practices, major themes in out-of-state placement, conclusions, and policy recommendations for improving out-of-state placement policies.

Major Issues in Juvenile Justice Information and Training: Readings in Public Policy, explores several current juvenile justice issues. Experts examine, among other topics, policy issues relevant to the interstate placement of children, including regulation and monitoring, protecting children's rights, and interstate compacts.

CONTENTS OF THIS REPORT

This report is designed to present a descriptive summary and state-specific information collected from the national survey of out-of-state placement practices. In effect, the report is a series of sourcebooks or compendiums of national data descriptive of such practices existing in each state and the District of Columbia.

Chapter 2, a National Overview, is a presentation from analyses of the national data. Topics discussed in Chapter 2 include:

Organization of Youth Services in State and Local Government. Descriptive information is reported about the types of bureaucratic structures found in the states to administer the five areas of service included in the study. The governmental responsibility for agency administration, by type of service, is described, along with findings about the number of locally operated agencies existing in each state.

The Number of Children Placed in Out-of-State Residential Settings. Results are given from the analysis of aggregate data about the number of out-of-state placements reported in 1978. Variations among the states and types of agencies arranging the placements are explored.

The Types of Children. Results are given from the analysis of aggregate data about the conditions of children placed out of state. Special consideration is given to identifying trends within a state as well as patterns among the types of agencies.

The Categories of Placement and States of Destination. Aggregated findings are presented about the types of facilities receiving children from out of state and the number of children sent to the various states and foreign countries.

Costs. An examination of aggregate findings about costs and special funding mechanisms are highlighted.

Reasons Associated with Out-of-State Placement Practices. This section is an analysis of aggregate findings concerning the reasons given by public agencies for placing a child out of state, and the reasons given for not placing a child out of state.

Compact Utilization. Aggregate findings are provided about the extent to which compacts are used to arrange out-of-state placements. Differences in usage patterns by specific types of agencies are also noted.

Monitoring Practices for Out-of-State Placements. This section describes national trends from findings about the nature of local agency monitoring practices for out-of-state placements.

The Availability and Reliability of Information in State Government. Selected data collection experiences in state agencies is reported. State agency knowledge of out-of-state placements arranged by their counterparts in local government is discussed along with the degree to which state agency data was verified and compatible with local survey results.

The Placement Policies and Practices of Federal Agencies. The nature and scope of the Bureau of Indian Affairs, the Bureau of Prisons, and the Department of Defense (CHAMPUS) programs for children are discussed. Each agency's policies and criteria for funding out-of-state placements are outlined, as well as their level of involvement in the placement decisionmaking process. Finally, a review of each agency's reported incidence of out-of-state placements in 1978, when available, and descriptive information about those placements is presented.

Appendix A includes a more detailed discussion of certain methodological aspects of the study as well as copies of survey instruments. Appendices B through D contain national tables of citations, by state, concerning the enactment of the following interstate compacts, along with the compact texts:

- Interstate Compact on Juveniles

- Interstate Compact on the Placement of Children

- Interstate Compact on Mental Health

The five volumes of date profiles (see page 99) provide a systematic and comparable presentation of descriptive information about each state and the District of Columbia. Each profile cotnains the following information.

- o Methodology. A concise description of the method employed to collect data from that state. The number and type of agencies surveyed is given, samples discussed (if appropriate, and the organization which collected the data is named. Data collection problems are also mentioned.

- Organizational structure, including intergovernmental linkages for child welfare, education, juvenile justice, and mental health and mental retardation, is described for each state. Relevant procedures and methods which are followed by agencies under state and county government for arranging out-of-state placements are described. Any variations in practice from policy are reported. Also discussed are recent developments in a state that indicate concern about the issue of out-of-state placement.

- Descriptive Findings. Tabular presentations with explanatory narratives are given for the survey results in each state. Typically, the data is displayed by types of agencies, governmental auspices, and counties of jurisdiction.

FOOTNOTES

1. See, especially, Miriam Z. Langsam, Children West (Madison, Wisc.: University of Wisconsin, 1964); and Charles Loring Brace, The Dangerous Classes of New York, and Twenty Years Work Among Them (New York, N.Y.: Wynkook and Hallenbeck, publishers, 1880), reprinted by Patterson Smith Publishing Corp., Montclair, N.J., 1967.
2. Ibid.
3. Ibid.
4. The Juvenile Justice and Delinquency Prevention Act of 1974, as amended through October 3, 1977, Title II, Part C, Section 243.
5. The Council of State Governments, The Interstate Placement of Children: A Preliminary Report (Lexington, Ky., 1978).
6. A more detailed description of the methodology which guided the study may be found in Appendix A.
7. The collection and analysis of information concerning receiving practices--those actions involving the admission and care of non-resident children--was not a major objective of the survey. The University of Chicago, School of Social Service Administration, was commissioned to provide information on aspects of receiving interstate placements and to update its 1966 "Survey of Children's Residential Institutions and Alternative Programs."

8. An agency's decision to continue the funding of an out-of-state placement for a child without a newly conducted assessment of the child's needs and without performing another search for appropriate in-state service was not considered an incidence of out-of-state placement in the survey.

9. In some states, discrete services were consolidated both administratively and operationally, such as mental health and retardation agencies. In such cases, the information reported was not separable by the categories of service used in the survey. Data are reported as received, in these instances as consolidated data. In addition, a few states were found to have both state and county-operated "local" agencies administering one type of service, but typically not in the same county. In such cases, information from decentralized state agencies was aggregated and maintained separately for each county-administered agency.

10. American Public Welfare Association, Public Welfare Directory 1978/79, vol. 39 (Washington, D.C.; 1978).

11. Local data were collected by persons and organizations under Academy contracts in the following states: Alabama, Arkansas, California, Colorado, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Tennessee, Texas, Wisconsin, and Wyoming.

CHAPTER II

A NATIONAL OVERVIEW

The information contained in this chapter, about the out-of-state placement practices of state and local public agencies in 1978, is the first comprehensive national report ever assembled on the subject. Less comprehensive efforts to measure and describe this phenomenon have occurred, only to point up the scarcity of reliable and comparable information available on a national level. This summary is specifically designed to fill that gap and provides a sourcebook which reports both the nature and frequency of the practice of placing children out of state for residential care among the states.

The national overview sets forth the parameters of an issue that has recently received heightened attention in legislative, youth advocacy, and youth service planning arenas. It is likely to continue receiving this attention. Knowledge of the magnitude and methods of public agency participation in out-of-state placements can lead to more informed policy decisions. The national overview should be regarded as a status report on the out-of-state placement of children in this country, which will allow decisionmakers to improve policy planning and development.

An additional objective served by the national overview is that it establishes a point of departure against which future progress in the regulation and monitoring of out-of-state placements may be measured. In this sense, the information may be viewed as an overall baseline measure of public agency participation in the area of out-of-state placement, which provides an historical frame of reference. Retrospective studies, for areas as small as a county and as large as the nation can begin with the data contained in this report. Trends, shifts in philosophies, types of children served, and other similar information can be measured using these 1978 data as the beginning point of analysis.

Finally, the national overview provides the basis for comparative assessments among the states. The user can find a particular state in the appropriate regional volume. The relationship between findings about a particular state and national trends is made possible by referencing the national overview in this chapter. Such a comparative capability should establish the groundwork for sharing information among the states and, possibly, for establishing regional policies and programs. For instance, states which have not successfully achieved compliance with interstate compact restrictions will learn of states with relatively higher rates of compliance. Similarly, a need for regional policy and program development may be identified when a cluster of contiguous states see that each of them is simply exchanging certain types of children because comparable services were reportedly not available in their own states.

The overview also permits the reader to compare the differences and similarities among states in a variety of ways:

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- Organization of youth services in state and local governments.
- The number of children placed in out-of-state residential settings.
- The out-of-state placement practices of local agencies.
- Detailed data from local agencies placing more than four children out of state (Phase II agencies).
- Use of interstate compacts by state and local agencies.
- The out-of-state placement practices of state agencies.
- Out-of-state placement policies and practices among federal agencies.

Chapter 2 is organized into sections, corresponding to the above issues with descriptive tables and summary interpretive remarks about the findings. Where appropriate, explanations about the nature or limitations of the information collected are offered to aid accurate interpretation of the results.

ORGANIZATION OF YOUTH SERVICES IN STATE AND LOCAL GOVERNMENTS

The organization of services varies in structure from state to state and within states. This lack of uniformity is especially observable through the different levels of government that administer these services. Moreover, reorganization of youth services is a relatively common practice. Those organizational structures being implemented by some states are being abandoned by others. However, organizational trends do exist and are described below.

One of the common trends in organizational structure is toward the establishment of "umbrella" agencies which consolidate the administration of allied services under a single agency. Typically included among the functions of such agencies are mental health, mental retardation, corrections, and services to children. Approximately 27 states have organized the administration of their youth services in this manner. Interestingly enough, no state has yet combined public education within an umbrella agency that otherwise delivers or oversees the delivery of youth services.

Generally, the states operating under an umbrella organizational structure have lines of authority and accountability established directly from the governor to the department executive, and then to divisional chiefs. This last group of officials operates, in most instances, as department heads do in other states. However, the scope of authority given to the state administrator in an umbrella agency, usually denominated a "secretary," sometimes differs. One type of umbrella agency could be described as having decisionmaking authority and accountability in a single top administrator who, in turn, has line authority over decentralized "local" offices which operate the entire range of the agency's consolidated services. Some authority is usually delegated to the local office administrators, but the department executive retains authority for

ensuring that administrative policies are implemented. Florida's Department of Health and Rehabilitative Services is an example of this type of agency. Florida's department has consolidated agencies, at both the state and local levels, which provide juvenile corrections, child welfare services, mental health, and mental retardation services. Responsibility for the delivery of these consolidated services is decentralized to regional directors. Service programs are carried out at local levels under the authority of the regional directors who are directly accountable to the department executive.

A state may also consolidate the administration of various types of youth services in state government through establishing an umbrella agency, but assign implementing authority to separate commissioners or directors for each type of service. An example of this type of agency is Idaho's Department of Health and Welfare. The responsibility for administration, supervision, and coordination of programs for each type of service is delegated to administrators appointed by and accountable to the governor.

A third type of umbrella agency is characterized by a consolidated state governmental organization of youth services with supervisory and planning functions; however, most program operations are administered and funded by local or county governments. The California Health and Welfare Agency exemplifies this type of organizational structure. The roles of this agency are advising the governor on services, operating certain programs such as state hospitals or correctional institutions, and providing funding, supervision, and technical assistance to local agencies which provide health, welfare, corrections, mental health, and mental retardation services.

Other states have organized the various youth services into independent state agencies. These agencies are still accountable to the governor, but set policy and programs separate from other existing state agencies. Ohio is an example of this type. Separate departments exist for the fields of mental health, mental retardation, juvenile corrections, and child welfare. In such structures, interagency cooperation usually exists in efforts to minimize overlap and gaps of services, but no official may legally intervene in interagency disputes except the governor.

A tabular summary display about the organization of community services to youth in 1978 is given in Table 1. The table illustrates, for each state, which type of youth service is under the administrative auspices of the state and which ones are operated by local governments. A narrative summary and explanation of the information given in Table 1 is also provided, which has been organized according to each pertinent area of youth services.

Child Welfare

[illegible]nity child welfare services are operated by state governments in 33 sta[illegible] In these jurisdictions, decentralized state offices, organized on a regional or a county basis, are usually located throughout the state. In the remaining states, local governments, organized through multicounty, county, or

TABLE 1. NATIONAL SURVEY: THE ORGANIZATION OF COMMUNITY SERVICES TO CHILDREN AND YOUTH IN 1978, BY STATE AND AGENCY TYPES DELIVERING DIRECT SERVICES

State	Child Welfare	Education	Juvenile Courts	Probation	Mental Health	Consolidated Mental Health and Mental Retardation Agencies	Mental Retardation
Alabama	State	127	60	60	18	--	18
Alaska	State	52	State	State	--	State	--
Arizona	State	233	14	14	State	--	State
Arkansas	State	382	75	75	--	State	--
California	58	1,033	58	58	58	--	State
Colorado	63	173	63	63	--	State	--
Connecticut	State	165	State	State	State	--	State
Delaware	State	16	State	State	State	--	State
District of Columbia	District	District	District	District	--	District	--
Florida	State	67	20	State	State	--	State
Georgia[a]	159	188	State	13	--	State	--
Hawaii	State	State	State	State	--	State	--
Idaho	State	115	39	7 & State	--	State	--
Illinois	State	1,011	81	81	--	State	--
Indiana	92	305	92	92	--	State	--
Iowa	State	449	99	35	--	State	--
Kansas	State	307	29	29	--	12 & State	--
Kentucky	3 & State	181	56	19 & State	--	State	--
Louisiana	State	66	110	11 & State	State	--	State
Maine	State	164	13	State	State	--	State

TABLE 1. (Continued)

State	Child Welfare	Education	Juvenile Courts	Probation	Mental Health	Consolidated Mental Health and Mental Retardation Agencies	Mental Retardation
Maryland	24	24	8	State	24	—	State
Massachusetts	State	381	State	State	—	State	—
Michigan[a]	State	576	83	83	—	55	—
Minnesota	87	436	87	87	—	33	—
Mississippi	State	152	16 & State	State	—	15	—
Missouri	State	557	43	43	—	State	—
Montana	56	575	19	19	State	—	State
Nebraska	93	1,057	93	3 & State	9	—	6
Nevada	7 & State	17	13	2 & State	—	State	—
New Hampshire	State	169	State	10 & State	—	State	—
New Jersey	State	586	State	21	State	—	State
New Mexico	State	88	13	13	State	—	State
New York	58	738	55 & State	58	—	State	—
North Carolina	100	145	State	State	—	41	—
North Dakota	48	317	State	State	—	8 & State	State
Ohio	88	615	88	88	State	—	85
Oklahoma	State	621	25	3 & State	State	—	State
Oregon	State	314	36	36	—	State	—
Pennsylvania	66	503	59	66	—	43	—
Rhode Island	State	40	State	State	State	—	State

TABLE 1. (Continued)

State	Child Welfare	Education	Juvenile Courts	Probation	Mental Health	Consolidated Mental Health and Mental Retardation Agencies	Mental Retardation
South Carolina	State	92	16	State	State	--	State
South Dakota	State	194	State	State	--	State	--
Tennessee	State	147	95	26 & State	--	State	--
Texas[a]	254	1,078	254	124	--	29	--
Utah	State	40	State	State	18	--	State
Vermont	State	274	State	State	--	State	--
Virginia	124	135	State	8 & State	--	37	--
Washington	State	301	39	32	13	--	State
West Virginia	State	55	32	State	State	--	State
Wisconsin	72	437	72	12 & State	8	41	10
Wyoming	23	49	23	2 & State	--	State	--

-- denotes Not Applicable.

a. It should be pointed out that the aegis of government responsible for local child welfare services in Georgia, Michigan, and Texas is subject to dispute even among officials within these states. The disagreement is linked to the shared participation of state and county governments in the funding and administration of these services.

independent city units, administer and operate the social services programs for children.

From state to state, the internal structures of child welfare agencies differ considerably. For example, some state and local departments establish administrative divisions which handle all services for children; other departments divide administrative responsibility among program areas, such as foster care, adoption, and residential treatment. For information regarding any specific state, refer to the appropriate profile in the regional volumes.

Education

In 1978, Hawaii had the only completely state-operated educational system. In the remaining states, local school districts exist, ranging in number from 16 districts in Delaware's three counties to 1,078 in the 254 counties in Texas. Local school districts usually are considered independent units of government, with independent authority to generate revenue. However, state governments normally have considerable responsibility for school districts' programs, predicated upon disbursement of federal and state funds and attendant regulatory functions.

With a greater emphasis upon special needs of certain children, divisions of special education have been established in state agencies and many local school districts. For example, several school districts have established special education departments or child study teams. Some districts have entered into cooperative agreements in which one school district serves the participating school districts' special education needs. Other states have established countywide or regional offices to provide assistance to local school districts in providing special education services.

Juvenile Justice

Most juvenile justice systems are dissimilarly administered in different states and by relatively autonomous agencies. Juvenile courts vary in structure from state to state, normally organized as district, circuit, probate, juvenile, and family courts. Seventeen states have state-administered court systems; the remaining ones are administered by local governments.

States administer probation services through a wide range of organizational and operational structures. The most frequent arrangement is state-operated probation services which existed in 28 states in 1978, usually attached to juvenile courts. In the remaining 22 states, probation operates as part of local governments, most frequently assigned to county court systems or to county executive probation or corrections agencies.

Juvenile corrections services can be operated by either state or local government. Generally, all state governments operate juvenile corrections facilities but, in large states, local branches of government often operate institutions as well. As with probation, within different states and local jurisdictions, these institutions are administered by any number of agencies, such as corrections agencies, welfare departments, probation agencies, or parole agencies.

Mental Health and Mental Retardation

A striking feature in the mental health and mental retardation fields is the number and variety of agencies that provide those services. Responsibility for mental health and mental retardation services variously resides within health, mental health, social services, mental retardation, or consolidated umbrella agencies in the 50 states. In 22 states, these services are consolidated and administered only by state government. Locally controlled government agencies which offer direct services, such as counseling or residential programs, exist in only 17 states.

The roles of agencies providing mental health and mental retardation services in both state and local governments may be as operators of direct services, purchasers of services from private agencies, or as managers of state and federal subsidies to local public and private agencies. A somewhat unique example of diversified service delivery responsibilities exists in Wisconsin. Mental health and mental retardation services are provided either by mental health or child welfare agencies. In some Wisconsin counties, mental retardation is provided by agencies separate from mental health.

THE NUMBER OF CHILDREN PLACED IN OUT-OF-STATE RESIDENTIAL SETTINGS

Considerable interest has been expressed by Congress, other public officials, and advocacy groups about the extent to which public agencies place children out of state. Yet, systematic and reliable information has never been available to determine the number of children placed outside of their states of residence as a result of direct actions taken by public agencies. Estimates of the number of children residing in out-of-state placements have been made, but they vary widely. The most frequently cited number was reported by the Children's Defense Fund. In a report entitled Children Without Homes, the CDF researchers stated:

> The combined total estimate of children placed out of state at any one time in 1975-1976 as reported by surveyed state officials was 4,491. While this figure represents a significant number of children, there are compelling reasons to

> suggest it is a very conservative estimate, and that the actual figure may be at least 10,000.[1]

The national survey results given below will clearly indicate that the estimate given by CDF for the number of children residing in out-of-state placements is still too small when considering the incidence of such placements in 1978. It should be understood that the prevalence of out-of-state placements, that is, the total number of children residing out of state during 1978, is statistically greater than the incidence that year (e.g., the total number of children actually sent to out-of-state placements). Since this survey collected and this volume reports data about incidence, it is fair to assume that any comprehensive study of prevalence would reveal a far greater number of children actually residing in out-of-state placements.

The major cause of the discrepancy between the CDF estimate and the findings which follow are most likely due to CDF's reliance on state officials for information. As pointed out in Chapter 1, the preliminary study conducted by the Academy and the Council of State Governments listed, among its conclusions:

> State officials who were in the best positions to know how many children had been sent or received consistently believed they were aware of practically all the placements. In reality, they knew of a relatively small proportion of the children sent or received across state lines.[2]

The national survey results reported in the following discussion and tabular displays are representative of all state and local government agencies responsible for providing residential services in the fields of child welfare, education, juvenile justice, mental health, and mental retardation. Table 2 displays national findings about the total number of children placed out of state by both state and local agencies in 1978, by type of agency. In considering the significance of these findings, the reader is encouraged to weigh the following factors.

- Some state and local agencies did not know if they placed children out of state, or arranged such placements but could not report the number of children placed. Tables 5 and 17 indicate the level of participation and reporting abilities experienced in the national survey.

- The total number of children reportedly placed out of state by local public agencies is to some extent a duplicative count. For example, a local child welfare agency may cooperate with a local education agency to place a child out of state and both agencies would report involvement in arranging the placement.[3]

Given an understanding of these constraints and limitations, several significant findings can be discerned in Table 2. Nationally, the total number of children reported placed out of state in 1978 by state and local public agencies reached 14,953. Clearly, agencies under the auspices of local government reported arranging considerably more out-of-state placements in 1978 than those agencies within state government. Local agencies reported arranging 60.1 percent of all out-of-state placements. Moreover, the greatest number of out-of-

state placements reported among all agency types, at either level of government, involved local juvenile justice agencies which accounted for 23.3 percent of all reported placements nationally. Stated in another way, local juvenile courts and local probation departments initiated and arranged more out-of-state placements than any other type of public agency in 1978.

Among agencies under the auspices of local government, juvenile justice agencies accounted for 38.7 percent of the total number of placements reported. However, child welfare agencies ranked a close second with 31.7 percent of the total. Obviously, local public agencies responsible for mental health and mental retardation services arranged a very small number of out-of-state placements. Another fairly important observation apparent in Table 2 is the relatively extensive involvement of local education agencies in arranging out-of-state placements for children. These agencies accounted for 27.5 percent of the total number of local agency placements reported.

TABLE 2. NATIONAL FINDINGS: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, By Agency Type					
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation	Consolidated Agencies[a]	Total
State Agency Placements[b]	3,016	190	1,441	253	1,061	5,961
Local Agency Placements	2,852	2,472	3,482	186	--	8,992
Total	5,868	2,662	4,923	439	1,061	14,953

-- denotes Not Applicable.

a. Includes state agencies which administer more than one type of service (e.g., child welfare and juvenile corrections). Information reported by these agencies reflects placements arranged for all types of services administratively consolidated.

b. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arranged, and others directly involving the state agency's assistance.

Comparisons among states and agency types concerning the reported number of children placed out of state in 1978 can be accomplished through a review of Table 3. Although significant differences exist among the states, both with respect to the total number of children reported placed out of state and the totals by agency type, children were placed out of state by every state and the District of Columbia in 1978. The total number of out-of-state placements reported by state and local agencies ranges from 11 in Vermont to 946 in Maryland, with an overall average of 293.2 per state.

State rankings, determined by the total number of children placed out of state, is also given in Table 3. The ten states placing the greatest number of children are:

Maryland (946)	Virginia (539)
Oklahoma (894)	California (508)
Florida (852)	Illinois (484)
Ohio (795)	New York (483)
Texas (541)	Louisiana (471)

States which, in comparison, placed relatively small numbers of children out of state include:

Vermont (11)	Alaska (85)
Hawaii (22)	Wisconsin (92)
Mississippi (71)	Maine (100)
Delaware (83)	Arkansas (101)
West Virginia (84)	New Hampshire (103)
	Wyoming (103)

Patterns among the states, when considering the placements arranged by the various agency types, are also evident in Table 3. Child welfare agencies, which arranged a relatively greater number of out-of-state placements, were found to be the most frequent users of out-of-state placements in Oklahoma (766), Florida (435), and Ohio (434). In the area of education, more placements were reported by Maryland (428), Illinois (374), and Virginia (330) than any other states. Florida (404), Ohio (357), Texas (260), Alabama (253), and Kansas (238) are states where juvenile justice agencies arranged relatively higher numbers of out-of-state placements. Finally, it should be pointed out that Utah (58) and North Dakota (55) accounted for 25.7 percent of all out-of-state placements reported by public agencies responsible for mental health and mental retardation.

Further comparisons among the states can be made by controlling for differences in state populations by constructing per capita rates of out-of-state placements. Table 4 lists states in ranked order, based upon 1978 per capita rates of out-of-state placements arranged by state and local public agencies. Overall, the conclusion evident from Table 4 is that the per capita out-of-state placement rates varied dramatically among the states. For instance, although the mean 1978 per capita rate is under 40 children, 21 states had a rate less than this average. Moreover, the rates ranged from 301.36 in the District of Columbia to 6.43 in Michigan. The second highest rate of out-of-state placement was in Nevada (249.11).

Table 3. NATIONAL SURVEY: THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY STATE, AGENCY TYPES, AND RANKED TOTAL

	Number of CHILDREN Placed During 1978										
	Child Welfare		Education		Juvenile Justice		Mental Health and Mental Retardation		Consolidated State Agencies[a]		
State	State Arranged	Local Arranged	State Arranged	Local Arranged	State Arranged	Local Arranged	State Arranged	Local Arranged	State Arranged	Total	Rank
Alabama	*	--	0	0	*	253	4	0	--	257	24.5
Alaska	*	--	0	11	74	--	0	--	--	85	46
Arizona	163	--	0	1	*	20	2	--	--	186	31
Arkansas	--	--	0	1	--	51	17	--	32	101	43
California	0	175	0	97	*	230	0	6	--	508	7
Colorado	4	199	0	9	32	129	1	*	--	374	15
Connecticut	--	--	0	151	48	--	4	--	66	269	21
Delaware	*	--	7	38	32	--	6	--	--	83	48
Dist. of Col.	243	--	47	--	31	--	11	--	--	332	18
Florida	435	--	0	9	404	--	4	--	--	852	3
Georgia	*	143	15	28	*	48	11	--	--	245	28
Hawaii	1	--	0	--	21	--	0	--	--	22	50
Idaho	--	--	0	16	--	65	--	--	167	248	26
Illinois	*	--	0	374	*	98	12	--	--	484	8
Indiana	*	188	0	7	5	143	0	--	--	343	17
Iowa	--	--	0	47	--	111	0	--	74	232	29
Kansas	--	--	2	4	--	238	--	3	*	247	27
Kentucky	--	0	5	5	--	3	0	--	111	124	36
Louisiana	--	--	0	2	*	24	--	--	445	471	10
Maine	37	--	8	31	15	--	9	--	--	100	44

Table 3. (Continued)

State	Number of CHILDREN Placed During 1978										
	Child Welfare		Education		Juvenile Justice		Mental Health and Mental Retardation		Consolidated State Agencies[a]		
	State Arranged	Local Arranged	State Arranged	Local Arranged	State Arranged	Local Arranged	State Arranged	Local Arranged	State Arranged	Total	Rank
Maryland	71	273	0	428	153	—	11	10	—	946	1
Massachusetts	255	—	*	79	17	—	35	—	—	386	14
Michigan	—	—	5	0	—	90	*	16	*	111	38
Minnesota	*	202	0	128	*	134	4	0	—	468	12
Mississippi	56	—	0	8	*	—	1	6	—	71	49
Missouri	*	—	15	0	5	126	0	—	—	146	33
Montana	*	100	5	19	18	36	15	—	—	193	30
Nebraska	*	44	0	9	76	17	2	9	—	157	32
Nevada	79	9	35	28	*	112	3	—	—	266	22
New Hampshire	30	—	0	57	*	16	0	—	—	103	41.5
New Jersey	*	—	0	219	10	210	31	—	—	470	11
New Mexico	209	—	0	0	0	138	7	—	—	354	16
New York	0	153	0	126	36	153	10	5	—	483	9
North Carolina	—	268	0	24	134	—	4	1	*	431	13
North Dakota	*	56	0	6	20	—	0	55	—	137	35
Ohio	*	434	0	0	66	291	4	0	—	795	4
Oklahoma	766	—	0	5	87	36	0	—	—	894	2
Oregon	—	—	0	0	—	115	0	—	*	115	37
Pennsylvania	—	123	3	1	—	43	6	1	80	257	24.5
Rhode Island	12	—	22	65	3	—	2	—	—	104	40
South Carolina	286	—	0	2	28	—	1	—	—	317	19
South Dakota	73	—	13	29	24	—	3	—	—	142	34
Tennessee	75	—	0	12	50	116	9	—	—	262	23
Texas	*	264	3	8	*	260	6	0	—	541	5
Utah	—	—	0	5	15	—	0	58	28	106	39

Table 3. (Continued)

State	Number of CHILDREN Placed During 1978										
	Child Welfare		Education		Juvenile Justice		Mental Health and Mental Retardation		Consolidated State Agencies[a]		
	State Arranged	Local Arranged	State Arranged	Local Arranged	State Arranged	Local Arranged	State Arranged	Local Arranged	State Arranged	Total	Rank
Vermont	--	--	0	5	--	--	0	--	6	11	51
Virginia	38	103	0	330	*	52	16	--	--	539	6
Washington	183	--	0	1	26	94	2	0	--	306	20
West Virginia	--	--	2	21	*	9	0	--	52	84	47
Wisconsin	*	46	0	2	1[illegible]	17	*	16	--	92	45
Wyoming	*	72	3	24	*	4	0	--	--	103	41.5
Total	3,016	2,852	190	2,472	1,441	3,482	253	186	1,061	14,953	
Average Number of Children Placed by:											
• All States	143.6	150.1	3.8	50.5	51.5	102.4	5.5	10.9	106.1	293.2	
• Only States Reporting Out-of-State Placements	158.7	158.4	11.9	57.5	53.4	102.4	8.2	15.5	106.1		

* denotes Not Available.
-- denotes Not Applicable.

a. Consolidated agencies include state agencies which administer more than one type of service to children (e.g., child welfare and juvenile justice). Information reported by these agencies reflects placements arranged for all types of services administratively consolidated within the agency.

TABLE 4. NATIONAL SURVEY: PER CAPITA RATES OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL AGENCIES IN 1978, BY STATE IN ORDER OF RANKING

State[a]	Rate[b]	State[a]	Rate[b]
District of Columbia	301.36	Arizona	45.61
Nevada	249.11	Utah	45.19
Oklahoma	195.54	Iowa	45.18
Idaho	164.97	North Carolina	44.62
New Mexico	152.96	Ohio	41.16
Wyoming	149.63	Alabama	38.84
Montana	138.73	Massachusetts	38.15
Maryland	123.81	New Jersey	36.45
North Dakota	114.69	Tennessee	36.01
South Dakota	112.83	Indiana	35.38
Alaska	110.46	Oregon	29.68
Colorado	81.49	West Virginia	27.39
Delaware	77.27	Arkansas	27.08
New Hampshire	70.10	Georgia	26.84
Rhode Island	66.21	Illinois	24.21
Florida	65.41	Texas	24.17
Kansas	64.10	Kentucky	20.38
Minnesota	63.64	Missouri	17.76
Louisiana	62.74	New York	15.80
Virginia	61.58	Mississippi	15.48
South Carolina	59.52	California	14.12
Nebraska	57.32	Hawaii	14.10
Maine	51.55	Pennsylvania	12.80
Washington	49.26	Vermont	12.62
Connecticut	49.14	Wisconsin	10.75
		Michigan	6.43

NOTE: Mean 1978 per capita rate is 39.61.

a. The reader is reminded that some state and local public agencies were unable to report the number of children they helped place out of state in 1978. Specific information concerning data which was not available in the states is given in each state profile discussed in the regional volumes.

b. The rates are calculated per 100,000 persons eight to 17 years of age and reflect 1978 estimates. Population data were developed by the National Center for Juvenile Justice using data from two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

Relatively high per capita rates of out-of-state placements existed in the District of Columbia (301.36), Nevada (249.11), Oklahoma (195.54), Idaho (164.97), New Mexico (152.96), Wyoming (149.63) and Montana (138.73). States with relatively low per capita rates of out-of-state placements were found in Michigan (6.43), Wisconsin (10.75), Vermont (12.62), Pennsylvania (12.80), and Hawaii (14.10).

THE OUT-OF-STATE PLACEMENT PRACTICES OF LOCAL AGENCIES

The reader's attention is first focused upon a consideration of the number of local agencies which reported arranging out-of-state placements in 1978. A review of such information along with findings about those agencies which were not fully responsive to the survey is useful for a better understanding of the incidence of out-of-state placements presented above. There were 19,510 local public agencies identified and included in the survey. These local agencies consisted of 1,475 child welfare agencies, 15,747 school districts, 1,650 juvenile justice agencies, and 638 agencies responsible for mental health and mental retardation. As reflected in Table 5, several important national findings should be pointed out.

- Only a relatively small number of local public agencies actually placed children out of state in 1978. Among the 19,510 local agencies surveyed, only 2,056, or 10.5 percent, reported arranging out-of-state placements for children. Even if all local agencies which did not participate in the survey or could not report such placements actually did place children out of state, it would mean that about another one percent would be added to the total.

- Comparisons ACROSS agency types reveal that school districts accounted for the greatest number of agencies that arranged out-of-state placements in 978. School districts represented 879, or 42.7 percent, of the 2,056 agencies that placed children out of state. Of the remaining agencies which arranged such placements, further comparison across agency types ranks juvenile justice agencies second with 29.1 percent of the total; child welfare third with 26.1 percent; and, finally, agencies responsible for mental health and mental retardation account for only 2.1 percent.

- Comparisons WITHIN agency types reveal that child welfare agencies, as a group, tended to be involved in arranging out-of-state placements more than any other type of local public agency in 1978. Of the local child welfare agencies responding to the survey, 536 (37.3 percent) reported arranging out-of-state placements in 1978. As a group, juvenile justice agencies had the second highest proportion of agencies placing children out of state, with 598 (37.2 percent) of all such agencies responding reporting out-of-state placements. Only 5.6 percent of all responding school districts and 6.7 percent of all responding local mental health and mental retardation agencies reported arranging out-of-state placements.

Out of 19,348 local public agencies responding, 17,292 of them arranged no out-of-state placements in 1978. Consideration will now be directed to possible explanations which underpin agencies' decisions not to place children out of state in 1978. The most basic explanation may simply be that the agency is prohibited from arranging such placements by state law. In other words, some local public agencies may lack the statutory authority to arrange out-of-state placements. Similarly, some agencies may not have placed children out of state because they were subject to gubernatorial orders, state government administrative requirements, or to other forms of public policy which restricted the use of such placements.

TABLE 5. NATIONAL SURVEY: INVOLVEMENT OF LOCAL PUBLIC AGENCIES INVOLVED IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type				
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation	Totals
Agencies Which Reported Out-of-State Placements	536	879	598	43	2,056
Agencies Which Did Not Know If they Placed, or Placed But Could Not Report the Number of Children	25	45	34	1	105
Agencies Which Did Not Place Out of State	900	14,792	1,009	591	17,292
Agencies Which Did Not Participate in the Survey	14	31	9	3	57
Total Local Agencies	1,475	15,747	1,650	638	19,510

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Alternatively, agencies may not have placed children out of state because sufficient fiscal resources were not available to purchase such placements. A lack of funds for out-of-state placements may, of course, be influenced by a number of factors, such as insufficient appropriations for foster care services, the lack of fiscal reimbursements from state government for placements, and budgetary restrictions which prohibit the purchase of services in other states.

Understandably, many agencies which had both the authority and funds required to arrange placements for children in other states may not have made placements simply because sufficient in-state services were available. Sufficiency of services is a function of both the supply and range of services available to serve children, and the demand for those services.

Each local public agency which did not arrange out-of-state placements in 1978 was asked to state the reasons associated with the lack of those placements. Table 6 lists the reasons reported by 16,411 local public agencies for not arranging out-of-state placements in 1978.

Clearly, the most common reason given for not arranging out-of-state placements was that sufficient services were available in state. Of the 16,411 agencies which did not place children out of state in 1978, 76.5 percent did not do so because they believed that sufficient services were available in state. In addition, 2,803 agencies arranged no out-of-state placements because they lacked the statutory authority to do so or were otherwise restricted from arranging such placements. In addition, 2,146 agencies lacked the funds to arrange out-of-state placements.

Of the 4,407 agencies which gave "other" reasons for not arranging out-of-state placements, the majority simply indicated that the need did not exist. More significant, however, is the fact that a number of these agencies arranged no out-of-state placements because:

- It involved too much red tape (49).
- The parents disapproved (470).
- The distance was prohibitive (24).
- Such placements were against overall agency policy (549).

For the most part, very few significant differences exist among agency types regarding the reasons for not arranging out-of-state placements. The major observation is that the majority of agencies which reported that they lacked the statutory authority to place children out of state were education agencies--86.6 percent of the total. Almost one-half of the local mental health and mental retardation agencies which did not place out of state also reported that they lacked the statutory authority to arrange such placements.

The remaining discussion in this section relates to information gathered from those local agencies which arranged out-of-state placements in 1978. Each local agency which reported placing children in out-of-state residential settings was asked to characterize, in a general manner, the children they placed.

TABLE 6. NATIONAL SURVEY: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reasons(s)				
	Child Welfare	Education[b]	Juvenile Justice	Mental Health and Mental Retardation	Total
Lacked Statutory Authority	24	2,343	72	265	2,704
Restricted[c]	19	44	27	9	99
Lacked Funds	77	1,480	376	213	2,146
Sufficient Services Available in State	737	10,897	705	219	12,558
Other[d]	369	3,316	493	229	4,407
Number of Agencies Reporting No Out-of-State Placements	900	13,911	1,009	591	16,411
Total Number of Agencies Represented in Survey	1,461	14,705	1,641	635	18,442

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. The 1,011 school districts in Illinois are not represented in this table because they were not individually surveyed at the request of the I.O.E. It was reported that 130 districts were involved in arranging 374 out-of-state placements in 1978. Eight hundred eighty-one districts did not place out of state. See the Illinois profile for more detail.

c. Generally included restrictions based on agency policy, executive order, compliance with certain federal and state guidelines, and specific court orders.

d. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive to family visitations because of distance.

A variety of general conditions which are descriptive of different behavioral, physical, and legal statuses of children served by these agencies were constructed in order to characterize the types of children placed out of state in that year.

Knowledge of the types of children placed out of state leads to implications about the problems for which services were not considered sufficiently available within the children's states of residence. This information should also be useful for assessing the applicability of interstate compact provisions, which specify the categories of children for whom compact procedures are appropriate or required. If a significant number of agencies placed certain types of children out of state who are not subject to compact procedure, consideration for supplemental coverage may be warranted. In addition, the descriptive conditions used in the survey are suggestive of a child's susceptability to his or her environment with respect to the need for judicial oversight, public intervention, and social control. Most opponents of out-of-state placement practices argue that situations where children are remote from their friends and families increase the likelihood that the quality of their care might be compromised. Direct implications to the practice of monitoring these placements can be derived from reliable information about the type of child placed out of state.

A national overview of the types of children placed out of state in 1978, as reported by the 1,941 local public agencies which arranged such placements, is given by type of agency in Table 7. Review of Table 7 reveals that, generally speaking, many conditions were cited to characterize the types of children placed out of state by these agencies in 1978. The type of condition associated with children placed out of state which was most frequently reported is mentally ill/emotionally disturbed. However, when delinquents and status offenders (i.e., unruly/disruptive and truant) are viewed as an overlapping group, due to different treatment in state laws, it is apparent that juveniles who have been involved with the court comprise another very significant category of children placed out of state. Other conditions which were more typical of children placed out of state included children with special education needs, and children who were battered, abandoned, or neglected. These findings make it very difficult to directly conclude that children placed out of state have conditions which are particularly severe or unusual. Rather, they are descriptive of a broad spectrum of the problems which these youth-serving agencies attempt to treat.

Comparisons across agency types further reveal the broad range of conditions which characterize the types of children placed out of state, even within a particular category of agencies. For example, local education agencies were involved in arranging out-of-state placements for children with every type of condition listed. Therefore, no clear jurisdictional demarcation among agency types with respect to types of children placed out of state was evident.

TABLE 7. NATIONAL SURVEY: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting				
	Child Welfare	Education[b]	Juvenile Justice	Mental Health and Mental Retardation	Total
Physically Handicapped	52	280	14	7	353
Mentally Retarded or Developmentally Disabled	74	297	42	14	427
Unruly/Disruptive	124	125	361	15	625
Truant	43	21	183	6	253
Juvenile Delinquent	75	50	478	8	611
Mentally Ill/ Emotionally Disturbed	116	455	101	26	698
Pregnant	11	3	29	4	47
Drug/Alcohol Problems	28	44	177	10	259
Battered, Abandoned, or Neglected	301	20	168	6	495
Adopted	218	13	37	5	273
Special Education Needs	63	425	73	12	573
Multiple Handicaps	40	206	11	5	262
Other[c]	86	39	23	1	149
Number of Agencies Reporting[d]	537	746	615	43	1,941

a. Some agencies reported more than one type of condition.

b. The 1,011 school districts in Illinois are not represented in this table because they were not individually surveyed at the request of the I.O.E. It was reported that 130 districts were involved in arranging 374 out-of-state placements in 1978. Eight hundred eighty-one districts did not place out of state. See the Illinois profile for more detail.

TABLE 7. (Continued)

c. Generally included foster care placements, autistic children, and status offenders.

d. Variations exist between the number of reporting agencies on this table and those reported on Table 5 because some agencies were unable to report the number of children placed out of state but could describe the conditions of children placed. In addition, some agencies reporting the number of children out of state could not describe the children's conditions.

DETAILED DATA FROM PHASE II AGENCIES

If more than four out-of-state placements were reported by a local agency, additional information was requested. The agencies from which the second phase of data was requested became known as Phase II agencies. The responses to these supplemental questions are reviewed in this section of the national overview.

The relationship between the total number of local agencies surveyed and placements reported, and agencies and placements in Phase II is graphically portrayed in Figure 1. It can be seen that Phase II agencies represent a relatively small proportion of the local agencies reporting out-of-state placements. For instance, Phase II juvenile justice agencies repesent 32.6 percent of the 598 such agencies which arranged out-of-state placements. However, the placements reported by Phase II agencies represent a significant proportion of the total number of out-of-state placements arranged. Figure 1 shows that three-fourths of the children placed out of state by local juvenile justice agencies were placed by Phase II agencies. Similar patterns are apparent among local agencies responsible for child welfare, education, and mental health and mental retardation services. Clearly, the detailed information to be reported on the practices of Phase II agencies is representative of the majority of out-of-state placements arranged by local agencies in 1978. In the aggregate, Phase II agencies represent 21.4 percent of the total number of local agencies reporting out-of-state placements, but account for 70.2 percent of all the placements reported by these local agencies.

States of Destination

The destinations of children placed out of state in 1978 by Phase II agencies is given in Table 8. It should be mentioned that there were in total, 413 Phase II agencies and these agencies arranged 6,049 out-of-state placements.

FIGURE 1. NATIONAL SURVEY: RELATIONSHIP BETWEEN THE NUMBER OF LOCAL AGENCIES SURVEYED AND PLACEMENTS REPORTED, AND AGENCIES AND PLACEMENTS IN PHASE II, BY AGENCY TYPE

	Child Welfare	Education[a]	Juvenile Justice	Mental Health and Mental Retardation
Number of AGENCIES[b]	1,461	14,646	1,641	635
Number of AGENCIES Reporting Out-of-State Placements in 1978	536	749	598	43
Number of AGENCIES Reporting Five or More Placements in 1978 (Phase II Agencies)	132	77	195	9
Number of CHILDREN Placed Out of State in 1978	2,852	2,098	3,482	186
Number of CHILDREN Placed by Phase II Agencies	2,000	1,299	2,621	129
Percentage of Reported Placements in Phase II	70	62	75	70

a. The 1,011 school districts in Illinois are not represented in this table because they were not individually surveyed at the request of the I.O.E. It was reported that 130 districts were involved in arranging 374 out-of-state placements in 1978. Eight hundred eighty-one districts did not place children out of state. See the Illinois profile for more detail.

b. Agencies which did not participate in the survey or did not report completely are excluded.

The information given in Table 8 is organized so that the states and foreign countries cited as destinations for these children are ranked according to the frequency of children sent to those states by reporting Phase II agencies.

When reviewing Table 8, it should be observed that the destinations were not reported for 2,085 (or 34.5 percent) of the children reported to have been placed out of state by these agencies. Although the inability to report the

destinations of children placed out of state was sometimes the result of inadequate monitoring and case follow-up practices, generally such specific information was not reported because it was maintained on a case-by-case basis and was not accessible in an aggregate form.

Further analysis of Table 8 shows that 3,964 children sent to placements outside their states of residence in 1978 went to destinations in all 50 states, the District of Columbia, and foreign countries in three continents. Clearly, the majority of these out-of-state placements were arranged in residential settings within the United States; however, eight children were placed in Mexico, four in Canada, two in Asia, and two in Europe. Those states reported by Phase II agencies as destinations for relatively greater numbers of children placed out of state include Pennsylvania (377), California (277), Texas (243), the District of Columbia (195), Arizona (162), and Florida (152).

Reasons for Arranging Out-of-State Placements

Another important objective of this research is to promote a better understanding of the factors which act to explain the incidence of out-of-state placements discovered among the 19,510 local public agencies included in this survey.[4] The acquisition of such knowledge is particularly significant in view of the fact that while only 10.5 percent of these agencies arranged out-of-state placements in 1978, 8,992 children were sent to live in other states. What were the reasons given by this relatively small group of agencies for arranging out-of-state placements when the other 90 percent of their sister agencies arranged no such placements in 1978?

Several very interesting explanations might emerge from a debate about the possible reasons why agencies place children out of state. For instance, the location of an out-of-state facility may be more accessible for family visitations than a facility offering comparable in-state services. Perhaps the out-of-state placement is a great distance from the child's family, but the services provided are considered to increase the prospect that a successful reunion of the child with his family could be anticipated. Physical distance between a child and the environment from which his problems emerged is sometimes considered advantageous and out-of-state placements may be a standard procedure for children with certain types of problems.

Moreover, placements in some privately operated out-of-state facilities may serve as an alternative to in-state public institutionalization. Many persons believe that private residential treatment centers are less stigmatizing and provide better services than facilities operated by government. Similarly, placements in out-of-state facilities may be arranged after a succession of failures in in-state programs.

Still other possible reasons for an agency placing children out of state may explain the incidence of such placements. Consider, for example, those out-of-state placements which are arranged to keep children with their foster parents who move to other states; to transfer children for institutional care in a

TABLE 8. NATIONAL SURVEY: DESTINATIONS OF CHILDREN PLACED OUT OF STATE BY LOCAL PHASE II AGENCIES IN 1978

Destinations of Children Placed Out of State	Number of CHILDREN Placed[a]	Destinations of Children Placed Out of State	Number of CHILDREN Placed[a]
Pennsylvania	377	Arkansas	53
California	277	New Jersey	51
Texas	243	Tennessee	50
District of Columbia	195	New Mexico	45
Arizona	162	Iowa	43
Florida	152	Louisiana	42
Indiana	148	South Carolina	40
Illinois	143	Mississippi	38
Virginia	137	Georgia	36
Missouri	126	Idaho	34
Wisconsin	123	Delaware	32
Kentucky	104	Minnesota	26
New York	94	North Carolina	26
Oklahoma	86	Alabama	25
Colorado	85	Nevada	23
Ohio	84	West Virginia	22
South Dakota	83	Montana	19
Nebraska	81	North Dakota	14
Connecticut	73	Wyoming	14
Utah	72	New Hampshire	12
Kansas	68	Alaska	9
Massachusetts	68	Rhode Island	9
Maine	61	Mexico	8
Washington	61	Vermont	7
Oregon	59	Hawaii	5
Maryland	56	Canada	4
Michigan	55	Asia	2
		Europe	2
Placements for Which Destinations Could Not be Reported by Phase II Agencies			2,085

TABLE 8. (Continued)

	Destinations of Children Placed Out of State	Number of CHILDREN Placed[a]
Total Number of Children Placed by Phase II Agencies		6,049

a. The 1,011 school districts in Illinois are not represented in this table because they were not individually surveyed at the request of the I.O.E. It was reported that 130 districts were involved in arranging 374 out-of-state placements in 1978. Eight hundred eighty-one districts did not place children out of state. See the Illinois profile for more detail.

facility near their parents who moved out of state; or those placements with relatives or family friends who live in other states as an alternative to more restrictive in-state placements. Of course, another obvious reason which must be considered as a factor in influencing out-of-state placements is simply that comparable services did not exist within the child's state of residence.

Clearly, out-of-state placements may be arranged for a wide number of reasons, but all alternatives mentioned relate to the judgments of public officials concerning the service needs of individual children. The 413 Phase II agencies were asked to indicate the reasons for arranging such placements. The responses given by 388 reporting agencies are organized by agency type and are listed in Table 9. Overall, the most common reason given for arranging out-of-state placements in 1978 was to send children to live with relatives. This was a reason why 261 agencies (67.3 percent) placed children out of state. It is also apparent from Table 9 that other reasons were frequently mentioned for arranging out-of-state placements. In order of frequency of response, those other reasons include:

- Sending state lacked comparable services (212).
- Previous success with receiving facility (190).
- Alternative to in-state public institutionalization (180).
- Children failed to adapt to in-state facilities (133).

In contrast to the most commonly cited reason for arranging out-of-state placements (to live with relatives), the four reasons listed above suggest

placements in residential facilities which provide kinds of services which were not available to children in their states of residence; placements in facilities which the agencies had successfully used previously; and placements in facilities which served as alternatives to in-state public institutionalization or as a measure to prevent further adaptational failure within in-state facilities.

Examination of the reasons given for arranging out-of-state placements within each agency type reveals some important differences. Clearly, the motive of sending children to live with relatives was the most commonly reported reason given by local child welfare and juvenile justice agencies for arranging out-of-state placements. Finally, two special observations should be mentioned about Phase II juvenile justice agencies. Although relatively few agencies explained out-of-state placements by mentioning that the receiving facility was closer to a child's home despite being across state lines, 30 juvenile justice agencies had such a reason. Coupled with the fact that 162 of these agencies also arranged out-of-state placements so that children could live with relatives, it seems that many of these juvenile justice agencies are relatively sympathetic to family interaction even within the context of an extended family (i.e., relatives) for a number of children they serve through out-of-state placements.

The second observation about local public juvenile justice agencies concerns the significant number (120) which indicated that out-of-state placements were arranged as alternatives to in-state public institutionalization. Although not immediately apparent in Table 9, the common alternative to in-state public institutionalization selected was relatives' homes in other states. In other words, a number of out-of-state placements with relatives were apparently arranged by juvenile justice agencies in order to maintain family interaction and to avoid institutionalization.

Residential Settings Used for Out-of-State Placements

Each Phase II agency was also asked to report the most frequent category of residential setting to which their children were sent. The categories of residential settings utilized in the survey are:

- Residential treatment/child care facilities.
- Psychiatric hospitals.
- Boarding/military schools.
- Foster homes.
- Group homes.
- Relatives' homes (non-parental).
- Adoptive homes.

TABLE 9. NATIONAL SURVEY: REASONS FOR PLACING CHILDREN OUT OF STATE IN 1978, AS REPORTED BY LOCAL PHASE II AGENCIES

Reasons for Placement[a]	Number of AGENCIES Reporting				
	Child Welfare	Education[b]	Juvenile Justice	Mental Health and Mental Retardation	Total
Receiving Facility Closer to Child's Home, Despite Being Across State Lines	12	5	30	5	52
Previous Success with Receiving Facility	52	39	95	4	190
Sending State Lacked Comparable Services	64	51	93	4	212
Standard Procedure to Place Certain Children Out of State	15	12	28	1	56
Children Failed to Adapt to In-State Facilities	33	30	67	3	133
Alternative to In-State Public Institutionalization	41	17	120	2	180
To Live with Relatives (Non-Parental)	92	1	162	5	261
Other	48	8	43	4	103
Number of Phase II Agencies Reporting[c]	131	56	193	8	388

a. Some agencies reported more than one reason for placement.

b. The 1,011 school districts in Illinois are not represented in this table because they were not individually surveyed at the request of the I.O.E. It was reported that 130 districts were involved in arranging 374 out-of-state placements in 1978. Eight hundred eighty-one districts did not place out of state. See the Illinois profile for more detail.

c. Twenty-five of the 413 local Phase II agencies did not respond.

A review of Table 10 shows that all these categories of placement were frequently used for children sent to other states. However, the majority of agencies (76.6 percent) most commonly used residential treatment/child care facilities and the homes of relatives for out-of-state placements. The implication from this pattern is that the type of service arranged for out-of-state placements approaches both poles in a spectrum of residential care. At the pole including residential treatment/child care facilities, relatively expensive, specialized professional services are given generally in a self-contained and structured setting. However, the other pole in the spectrum, including relatives' homes, suggests minimal costs in a family setting, involving little or no professional intervention.

This overall pattern is generally characteristic of each type of Phase II agency, with a few exceptions. Among the child welfare agencies, adoptive homes were also mentioned several times as the most frequent category of residential settings for children placed out of state. In the area of education, out-of-state placements invariably involved arrangements for specialized, professional services. Fifty-three of the 56 Phase II education agencies identified the residential treatment/child care category as the one most frequently used for out-of-state placements. One agency reported using psychiatric hospitals most frequently. Surprisingly, only two education agencies reported that boarding/military schools were their most frequent category of residential setting used for such placements.

Monitoring Practices for Out-of-State Placements

The extent to which public agencies monitor the progress and condition of children under their care is another major area of concern for many public officials, child advocates, and various interest groups. For some time, a demand has been growing for more attention to the monitoring practices of child-placing agencies, especially when out-of-state placements are involved. There are both substantiated and unsubstantiated claims that:

- Some children are being placed in substandard, unlicensed facilities out of state and the placing agencies are unaware of their condition.
- The higher costs associated with many out-of-state facilities are not justified in light of rates paid to in-state facilities for comparable services.
- Some children who are placed out of state are reported to be abandoned and forgotten by the placing agencies.

These reasons are typical of the kinds of concerns which emerged during the study. They all relate to the dual interests of protecting children and justifying expenditures, and imply extended responsibilities for placing agencies.

Each Phase II agency was asked to describe its monitoring practices for those placements. They reported that they generally requested written reports

TABLE 10. NATIONAL SURVEY: MOST FREQUENT CATEGORIES OF RESIDENTIAL SETTINGS USED BY LOCAL PHASE II AGENCIES IN 1978

Categories of Residential Settings	Number of AGENCIES Reporting				
	Child Welfare	Education[a]	Juvenile Justice	Mental Health and Mental Retardation	Total
Residential Treatment/ Child Care Facility	31	53	59	3	146
Psychiatric Hospital	0	1	1	0	2
Boarding/Military School	0	2	2	0	4
Foster Home	17	0	8	2	27
Group Home	8	0	14	0	22
Relative's Home (Non-Parental)	46	0	98	2	146
Adoptive Home	20	0	1	0	21
Other	4	0	8	1	13
Number of Phase II Agencies Reporting[b]	126	56	191	8	381

a. The 1,011 school districts in Illinois are not represented in this table because they were not individually surveyed at the request of the I.O.E. It was reported that 130 districts were involved in arranging 374 out-of-state placements in 1978. Eight hundred eighty-eight districts did not place children out of state. See the Illinois profile for more detail.

b. Thirty-two of the 413 local Phase II agencies did not respond.

of children's progress or they made on-site visits and calls to facility staff or to legal guardians. Such practices did not always occur at regular intervals, but when monitoring was routine, the practice involved quarterly, semi-annual, or annual contacts. Understandably, the most intensive and thorough monitoring of out-of-state placements would involve quarterly on-site visits to the facility or residence in which the child was placed.

Table 11 displays national findings about the monitoring of out-of-state placements as reported by Phase II agencies, by agency type. Although many agencies monitored out-of-state placements by more than one method, it is evident in Table 11 that the most common form of monitoring practice among all such agencies in 1978 involved a quarterly request for a written progress report on the child. Of the 391 Phase II agencies, 52.4 percent indicated a monitoring practice consisting of quarterly written progress reports. Further, 344 of the 391, or 88 percent, of the agencies monitored their out-of-state placements through written progress reports.

Although quarterly on-site visits are described as the most intensive and thorough form of monitoring, only 28 agencies had implemented such a practice in 1978. In fact, very few agencies conducted on-site visits to monitor out-of-state placements. Of the 391 responding Phase II agencies, 37.1 percent made on-site visits, but 57 of these agencies did not make the visits on a regular basis.

A number of Phase II agencies reported calling facility staff members or children's guardians to monitor out-of-state placements. Typically, these calls did not occur at regular intervals. However, 70 agencies called officials in out-of-state placements on a quarterly basis.

Table 11 reveals few significant differences when comparing agency types with respect to monitoring practices for out-of-state placements. For example, written progress reports and calls are the predominant form of monitoring among each type of agency. On-site visits are not a common practice among any type of agency; however, a slightly higher percentage of education agencies reported conducting on-site visits for out-of-state placements.

The single characteristic which indicates some significant differences among agency types pertains to the frequency of monitoring practices. The pattern revealed in Table 11 is that education agencies tend to monitor out-of-state placements on a more routine basis than other agency types. This suggests that education agencies are subject to policies for monitoring out-of-state placements which may have more specific requirements for the frequency of the various practices utilized for monitoring.

Expenditures for Out-of-State Placements

Most state and county government agencies experienced serious economic constraints in 1978, which acted to increase the level of competition for public revenue. Despite this, private service providers have grown not only in numbers

TABLE 11. NATIONAL SURVEY: MONITORING PRACTICES FOR OUT-OF-STATE PLACEMENTS AS REPORTED BY LOCAL PHASE II AGENCIES IN 1978

Methods of Monitoring	Frequency of Practice	Number of AGENCIES[a]				
		Child Welfare	Education[b]	Juvenile Justice	Mental Health and Mental Retardation	Total
Written Progress Reports	Quarterly	83	26	95	1	205
	Semiannually	34	16	27	3	80
	Annually	0	9	3	0	12
	Other[c]	7	5	33	2	47
On-Site Visits	Quarterly	14	2	12	0	28
	Semiannually	6	4	12	1	23
	Annually	11	17	8	1	37
	Other[c]	16	4	35	2	57
Telephone Calls	Quarterly	30	7	31	2	70
	Semiannually	3	1	7	4	15
	Annually	0	1	0	0	1
	Other[c]	55	13	95	5	168
Total Number of Phase II Agencies Reporting[d]		132	57	193	9	391

a. Some agencies reported more than one method of monitoring.

b. The 1,011 school districts in Illinois are not represented in this table because they were not individually surveyed at the request of the I.O.E. It was reported that 130 districts were involved in arranging 374 out-of-state placements in 1978. Eight hundred eighty-eight districts did not place children out of state. See the Illinois profile for more detail.

c. Included monitoring practices reported which did not occur at regular intervals.

d. Twenty-two of the 413 local Phase II agencies did not respond.

but in their reliance on public support in terms of government subsidies, grants and per diems under purchase-of-service agreements. In some states, these factors have influenced a reexamination of budgetary policies and priorities among public agencies. However, all too frequently, legislators and other public officials do not have the kind of information they would like to have to fully address complex budgetary decisions and the prioritization of services.

The information gap related to governmental services to children has partly been filled as the result of legislative hearings, investigative task forces, budgetary reviews, and limited studies. However, only a very small number of states and counties have conducted systematic cost analyses of public expenditures directed toward evaluating services for children in out-of-home care. Even less is known about the costs associated with out-of-state placements.

Basic fiscal information related to expenditures for out-of-state placements in 1978 was requested from the Phase II agencies. Of the 413 Phase II agencies, 265 or 64.2 percent reported their total expenditures for these placements. A national summary of public expenditures for out-of-state placements in 1978 as reported by Phase II agencies is given by agency type in Table 12. It can be discerned from Table 12 that welfare agencies spent considerably more on out-of-state placements in 1978 than any other agency type. Of the 132 Phase II child welfare agencies, 75 reported that their total expenditures reached $5,184,305, which was an amount almost twice that of any other type of agency. The next highest expenditure was by Phase II education agencies with a total of $2,804,141 reported by 41 of the 77 agencies. With 72.3 percent of the Phase II juvenile justice agencies reporting, an amount of $1,009,523 was expended for out-of-state placements. Finally, $28,400 was spent by eight local mental health and mental retardation agencies for arranging their out-of-state placements. The combined public expenditures reported by the 265 agencies amounted to $9,026,369.

USE OF INTERSTATE COMPACTS BY STATE AND LOCAL AGENCIES

The need for cooperation among the states to reduce conflicts and to increase the availability of services for children has resulted in the establishment of three interstate compacts which impinge upon the placement of children. The provisions of the Interstate Compact on the Placement of Children (ICPC), the Interstate Compact on Juveniles (ICJ), and the Interstate Compact on Mental Health (ICMH) have been described and analyzed in an earlier report.[5] The major purposes of these compacts, in brief, are as follows:

- Interstate Compact on the Placement of Children

  1. To allow for maximum opportunity to place children in suitable environments.
  2. To permit receiving states to evaluate placements, according to their criteria for acceptability, prior to sending children to reside there.
  3. To permit sending states to obtain information on out-of-state placements without requiring on-site inspections.

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TABLE 12. NATIONAL SURVEY: PUBLIC EXPENDITURES FOR OUT-OF-STATE PLACEMENTS IN 1978, AS REPORTED BY LOCAL PHASE II AGENICES

	Expenditures, by AGENCY Type				
	Child Welfare	Education[a]	Juvenile Justice	Mental Health and Mental Retardation	Total
Total Expenditures	$5,184,305	$2,804,141	$1,009,523	$28,400	$9,026,369
Number of Phase II Agencies Reporting	75	41	141	8	265
Total Number of Phase II Agencies	132	77	195	9	413

a. The 1,011 school districts in Illinois are not represented in this table because they were not individually surveyed at the request of the I.O.U. It was reported that 130 districts were involved in arranging 374 out-of-state placements in 1978. Eight hundred eighty-eight districts did not place children out of state. See the Illinois profile for more detail.

4. To promote appropriate jurisdictional arrangements between states when children are sent across state lines.

- Interstate Compact on Juveniles

1. To arrange cooperative supervision of juveniles on probation and parole.
2. To arrange return of juvenile escapees, absconders, and non-delinquent runaways.
3. To aid in additional protective measures for juveniles and the public, as agreed upon by states involved.

- Interstate Compact on Mental Health

1. To facilitate proper and expeditious treatment of the mentally ill and retarded patients who require institutional or out-patient care.
2. To provide the necessary legal basis for institutionalization or proper care when patients are moved from public institutions in one state to public institutions in another state.
3. To establish the responsibilities of the party states for patient welfare.

In 1978, state adoption of these interstate compacts was widespread. Table 13 indicates the extent to which states had joined the compacts and the year each compact was ratified in each state. In 1978, all states were members of the ICJ, and 43 states (excluding Alabama, Arkansas, District of Columbia, Hawaii, Michigan, Nevada, New Jersey, and South Carolina) had joined the ICPC.[6] States which were not members of the ICMH were Arizona, California, Mississippi, Nevada, Utah, and Virginia. Further review of Table 13 reveals that 41 states currently belong to all three compacts and only Nevada is party to just one compact.

The reader also needs to know the relationship of education agencies to state policies requiring the use of interstate compacts for out-of-state placements. Two major categories of out-of-state placements which are not applicable to any compact include placements in private psychiatric facilities and facilities which are deemed "primarily educational in nature."[7] Such a lack of applicability is germane to an examination of compact use by education agencies. In addition, it was discovered that even though these agencies may (and often do as reported in Table 10) place children in the same kinds of facilities used by child welfare or juvenile justice agencies, no state had actively extended policy requirements for compact utilization to placements involving educational agencies in 1978. Consequently, a comparatively low rate of compact use among education agencies should be anticipated because their placements are either not applicable to compact coverage or not subject to state policy requirements mandating that a compact be utilized.

The extent to which local public agencies arranged out-of-state placements through interstate compacts in 1978 is of special interest. Compliance with interstate compacts are intended to provide legal safeguards to children placed across state lines and to promulgate accountability among sending and receiving agencies for services received by these children. Further, the compliance of

TABLE 13. NATIONAL SURVEY: INTERSTATE COMPACT MEMBERSHIP, BY STATE AND YEAR OF RATIFICATION

State	Juvenile Compact (ICJ)	Placement Compact (ICPC)	Mental Health Compact (ICMH)
Alabama	1965	1980	1975
Alaska	1960	1976	1959
Arizona	1961	1976	--
Arkansas	1961	1979	1959
California	1955	1974	--
Colorado	1957	1975	1965
Connecticut	1957	1967	1955
Delaware	1953	1969	1962
District of Columbia	1970	--	1972
Florida	1957	1974	1971
Georgia	1972	1977	1973
Hawaii	1955	--	1967
Idaho	1961	1976	1961
Illinois	1973	1974	1965
Indiana	1957	1978	1959
Iowa	1961	1967	1962
Kansas	1965	1976	1967
Kentucky	1960	1966	1958
Louisiana	1958	1968	1958
Maine	1955	1961	1957
Maryland	1966	1975	1963
Massachusetts	1955	1963	1956
Michigan	1958	--	1965
Minnesota	1957	1973	1957
Mississippi	1958	1976	--
Missouri	1955	1975	1959
Montana	1967	1975	1971
Nebraska	1963	1974	1969
Nevada	1957	--	--
New Hampshire	1957	1965	1957
New Jersey	1955	--	1956
New Mexico	1973	1977	1969
New York	1955	1960	1956
North Carolina	1965	1971	1959
North Dakota	1969	1963	1963

TABLE 13. (Continued)

State	Juvenile Compact (ICJ)	Placement Compact (ICPC)	Mental Health Compact (ICMH)
Ohio	1957	1976	1959
Oklahoma	1967	1974	1959
Oregon	1959	1975	1957
Pennsylvania	1956	1973	1961
Rhode Island	1957	1967	1957
South Carolina	1970	1980	1959
South Dakota	1961	1974	1959
Tennessee	1955	1974	1971
Texas	1965	1975	1969
Utah	1955	1975	--
Vermont	1968	1972	1959
Virginia	1956	1975	--
Washington	1955	1971	1965
West Virginia	1963	1975	1957
Wisconsin	1957	1978	1965
Wyoming	1957	1963	1969

-- denotes Nonmembership.

local agencies with the requirements of interstate compacts, when placing children out of state, is one indication of state government's ability to regulate the practice. It is also closely linked to its overall knowledge of this practice in local government. Therefore, findings presented below about utilization of interstate compacts among local public agencies are most important to consider.

Initially, this examination will focus upon the use or non-use of the compacts by local agencies without analyzing the proportion of placements which were arranged in either manner. Nationally, it was determined that 42.6 percent of those local agencies which placed children out of state (and provided information concerning their use of compacts) used an interstate compact at least once in 1978. Table 14 displays information about the utilization of interstate compacts among local public agencies by state and agency type. Signi-

ficant differences in compact use among states, agency types, and agency types within a single state are apparent in this table. For instance, the percentage of agencies which never used a compact in 1978 averaged 18.4 percent among local child welfare agencies, 97.6 percent among local education agencies, 42 percent among local juvenile justice agencies, and 72.1 percent among the local agencies responsible for mental health and mental retardation. Table 14 clearly shows that, proportionally, more local child welfare agencies used an interstate compact in 1978 than any other type of agency.

Further review of Table 14 reveals other important findings concerning local agency compact utilization. Comparisons among the states with local child welfare agencies finds that all such agencies in Montana, North Dakota, and Texas placed through a compact at least once in 1978. In contrast, a significant proportion of local child welfare agencies never used a compact to arrange out-of-state placements in California, Minnesota, Pennsylvania, and Wisconsin.

Among local education agencies, the utilization of interstate compacts was expectedly low. Only 17 out of 718 local education agencies used a compact to arrange out-of-state placements in 1978. There were 12 states with one or two local education agencies which indicated using a compact at least once in 1978.

An examination of specific state use of interstate compacts by local juvenile justice agencies reveals that in three states (Kentucky, Virginia, and Wyoming) every such agency reporting indicated that all out-of-state placements were arranged without the use of a compact. It can also be observed from information given in Table 14 that in 16 out of 34 states, 50 percent or more of the local juvenile justice agencies arranging placements never used a compact. In comparison, states with relatively high percentages of agencies reporting use of compacts include Idaho, Kansas, Louisiana, Ohio, and Washington.

Even less use of interstate compacts for arranging out-of-state placements was found among local public agencies responsible for mental health and mental retardation. Only 12 of the 43 such agencies which reported out-of-state placements made use of compacts in 1978. However, some dramatic differences with respect to compact use by those agencies was found among the states. In six states (California, Kansas, Maryland, Nebraska, New York, and North Carolina), no local public agencies responsible for mental health and mental retardation placed children out of state through interstate compacts. On the other hand, all such agencies in Mississippi, North Dakota, and Pennsylvania reported using a compact at least once in 1978 to arrange out-of-state placements.

Final observations about the information given in Table 14 pertain to differences in agency use of interstate compacts among agency types in the same state. For example, 50 percent of all juvenile justice agencies placing children out of state in Georgia did not use an interstate compact. In comparison, only 14.9 percent of all Georgia local child welfare agencies placing children out of state did not use a compact. Clearly, compact utilization among local juvenile justice agencies in that state is significantly less than among local child welfare agencies. Other states with similar deviations among agency types include Indiana, Montana, Texas, Virginia, Wisconsin, and Wyoming.

Figure 2 provides a graphic representation of the extent to which local public agencies used and did not use interstate compacts in 1978. This

TABLE 14. NATIONAL SURVEY: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL PUBLIC AGENCIES IN 1978, BY STATE AND AGENCY TYPE

State	Number of AGENCIES							
	Child Welfare		Education		Juvenile Justice		Mental Health and Mental Retardation	
	Placed Children through a Compact at Least Once	Placed Children but Never Used a Compact	Placed Children through a Compact at Least Once	Placed Children but Never Used a Compact	Placed Children through a Compact at Least Once	Placed Children but Never Used a Compact	Placed Children through a Compact at Least Once	Placed Children but Never Used a Compact
Alabama	—	—	—	—	21	8(1)	—	—
Alaska	—	—	0	6	—	—	—	—
Arizona	—	—	0	1	4	2	—	—
Arkansas	—	—	0	1	9	7(1)	—	—
California	22	7(1)	0	49(3)	29	10	0	3
Colorado	19	4	2	6	12	5(1)	—	—
Connecticut	—	—	1	59(1)	—	—	—	—
Delaware	—	—	0	7	—	—	—	—
Dist. of Columbia	—	—	—	—	—	—	—	—
Florida	—	—	0	7	—	—	—	—
Georgia	40	7(1)	0	11(1)	3	3	—	—
Hawaii	—	—	—	—	—	—	—	—
Idaho	—	—	0	7	7	2	—	—
Illinois	—	—	0	*(130)	14	17(1)	—	—
Indiana	27	4	0	7	8	21	—	—
Iowa	—	—	0	20	8	8	—	—
Kansas	—	—	0	4	16	5(1)	0	2
Kentucky	—	—	0	3	0	2	—	—
Louisiana	—	—	0	2	6	1	—	—
Maine	—	—	2	20(1)	—	—	—	—

TABLE 14. (Continued)

State	Number of AGENCIES							
	Child Welfare		Education		Juvenile Justice		Mental Health and Mental Retardation	
	Placed Children through a Compact at Least Once	Placed Children but Never Used a Compact	Placed Children through a Compact at Least Once	Placed Children but Never Used a Compact	Placed Children through a Compact at Least Once	Placed Children but Never Used a Compact	Placed Children through a Compact at Least Once	Placed Children but Never Used a Compact
Maryland	18	4	0	11(1)	--	--	0	5
Massachusetts	--	--	2	49	--	--	--	--
Michigan	--	--	--	--	7	15	1	4
Minnesota	24	22	2	43(4)	25	21	--	--
Mississippi	--	--	1	1(6)	--	--	4	0
Missouri	--	--	--	--	7	10	--	--
Montana	20	0	0	11	6	6	--	--
Nebraska	14	1	0	8	2	1	0	4
Nevada	0	1	1	7	6	5	--	--
New Hampshire	--	--	1	36	2	3	--	--
New Jersey	--	--	0	91(8)	9	4	--	--
New Mexico	--	--	--	--	8	3	--	--
New York	28	8(1)	0	72	26	10(1)	0	4
North Carolina	41	5	2	10(5)	--	--	0	1
North Dakota	14	0	0	6	--	--	3	0
Ohio	40	8	--	--	27	9	--	--
Oklahoma	--	--	0	3	1	2	--	--
Oregon	--	--	--	--	13	5(1)	--	--
Pennsylvania	27	12	0	1	13	6	1	0
Rhode Island	--	--	1	24	--	--	--	--

TABLE 14. (Continued)

State	Number of AGENCIES							
	Child Welfare		Education		Juvenile Justice		Mental Health and Mental Retardation	
	Placed Children through a Compact at Least Once	Placed Children but Never Used a Compact	Placed Children through a Compact at Least Once	Placed Children but Never Used a Compact	Placed Children through a Compact at Least Once	Placed Children but Never Used a Compact	Placed Children through a Compact at Least Once	Placed Children but Never Used a Compact
South Carolina	--	--	0	2	--	--	--	--
South Dakota	--	--	0	18	--	--	--	--
Tennessee	--	--	1	8	13	13	--	--
Texas	52	0	0	6(1)	23	28(1)	--	--
Utah	--	--	0	3	--	--	2	5
Vermont	--	--	0	5	--	--	--	--
Virginia	21	4(3)	0	47	0	2	--	--
Washington	--	--	0	1	15	0	--	--
West Virginia	--	--	0	14	1	3	--	--
Wisconsin	9	8(4)	0	2	1	8	1	3
Wyoming	13	2	1	12	0	3	--	--
Total	429	97(10)	17	701(161)	342	248(8)	12	31
Percent	81.6	18.4	2.4	97.6	58	42	27.9	72.1

* denotes Not Available.
-- denotes Not Applicable.
( ) denotes agencies which did not report information on compact use.

illustration is predicated upon information given in Table 14 but shows the relationship between the total number of local public child welfare, education, juvenile justice, and mental health and mental retardation agencies which were surveyed; the number reporting out-of-state placements; and the number which used an interstate compact to arrange at least one of those placements.

At this juncture, the examination of interstate compact utilization among local public agencies will shift to a different focus. Consideration will now be aimed at the number of children who were placed out of state through interstate compacts. The policy implications derived from the national finding that 57.4 percent of the local agencies which placed children out of state (and provided information regarding their use of compacts) did not use any interstate compact in 1978, are important. However, a more comprehensive perspective is possible through a consideration of the proportion of out-of-state placements which were or were not arranged through a compact. This type of analysis would not only include information about the number of children placed out of state by agencies which did not use an interstate compact, but also considers the likelihood that those agencies reporting compact use did not necessarily arrange all out-of-state placements through an interstate compact.

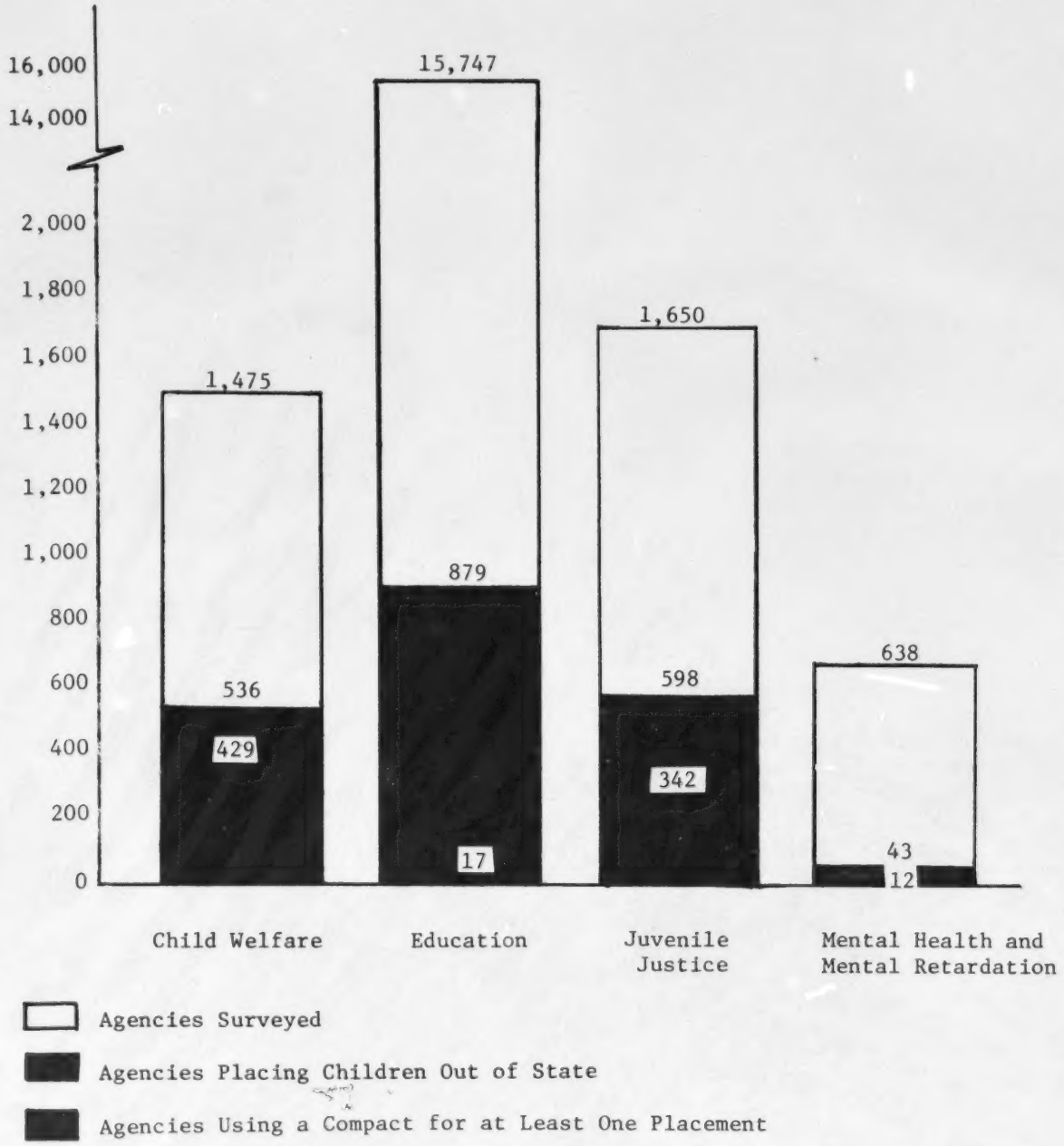
Tables 15A and 15B report national findings on compact utilization for children placed out of state in 1978 by local agencies. The information is displayed by state and agency type, and indicates the number of children who were placed through a compact, the number who were placed without a compact, and the number for whom compact use was unknown. In the aggregate, 3,219 children were placed through a compact, 3,978 children were placed out of state without a compact, and compact use was unknown for another 1,795 children.

In order to simplify consideration of these findings and to draw direct comparisons about compact use among states and the different types of agencies, the following discussion is predicated upon trends emerging from an analysis of those placements for which compact use was reported. In other words, out-of-state placements for which compact use was unknown are deleted from the calculations used to arrive at these findings. Thus, this analysis is based on 80 percent of the out-of-state placements arranged by local agencies in 1978.

Considering only those out-of-state placements arranged by agencies reporting information about the use of interstate compacts, it was determined that 78.2 percent of the children placed out of state by local public child welfare agencies were placed through an interstate compact in 1978, typically, the ICPC. Local agencies in seven of the 18 states arranged at least 90 percent of their out-of-state placements through an interstate compact. Those states with relatively higher proportions of compact-arranged placements by child welfare agencies include Indiana (92.9 percent), Montana (98.8 percent), Nebraska (96.9 percent), and Texas (94.6 percent). In contrast, the local public child welfare agencies in Minnesota (44.1 percent), Nevada (0 percent), and Wisconsin (52.8 percent) relied on interstate compacts to a lesser extent for arranging their out-of-state placements.

Very little variability exists among the states with respect to the use of compacts by local education agencies for arranging out-of-state placements. Overall, only 1.7 percent of the children placed by school districts were placed through a compact. In 30 states, no children placed by these agencies were

FIGURE 2. NATIONAL SURVEY: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978, BY AGENCY TYPE



compact arranged. In fact, the greatest number of children placed through a compact by local education agencies was 13 in Connecticut and eight in Minnesota.

Considering again only those placements by agencies which reported their use of compacts, it was determined that 49 percent of all children placed out of state by local public juvenile justice agencies were placed through an interstate compact in 1978. Compared to local agencies responsible for child welfare, local juvenile justice agencies relied on interstate compacts to a lesser extent for arranging their out-of-state placements during the year. Table 15B shows that among 34 states, out-of-state placements arranged by local juvenile justice agencies varied from no compact use in three states (Kentucky, Virginia, and Wyoming) to 100 percent compact-arranged placements in the state of Washington. Other states with relatively low compact-arranged placements include Wisconsin (6.3 percent), Oklahoma (8.3 percent), West Virginia (12.5 percent), and Georgia (16.7 percent). Other states ranked at the top with regard to compact use by local juvenile justice agencies include Pennsylvania (78.8 percent), Kansas (74.7 percent), California (74.6 percent), and New Jersey (71.3 percent).

Finally, a review of comparable information given for local agencies responsible for mental health and mental retardation reveals that 33.8 percent of the children placed by their agencies were compact-arranged placements. No compact-arranged placements were reported by local mental health and mental retardation agencies in California, Kansas, Maryland, Nebraska, New York, and North Carolina. In contrast, these agencies used compacts for all their placements in Mississippi, North Dakota, and Pennsylvania, and for 57 percent of them in Utah.

It is also important to compare the percentage of compact-arranged placements among agency types in the same state. For example, 94.6 percent of the out-of-state placements arranged by Texas child welfare agencies were arranged through a compact. In contrast, the Texas juvenile justice agencies only arranged 27.9 percent of their out-of-state placements through a compact. Other states with significant differences in compact use among their agencies include Georgia, Indiana, Montana, Nebraska, Ohio, Virginia, and Wyoming.

A graphic summary about the use of interstate compacts by all local agencies in the country is given in Figures 3, 4, 5, and 6. National findings are presented about the use of interstate compacts among local public agencies responsible for child welfare, education, juvenile justice, and mental health and mental retardation. Each figure shows the number and percentage of such placements which were arranged through compacts, arranged without the use of compacts, and those which were undetermined with respect to compact use.

As a final overview of the findings on interstate compact utilization, Tables 16A and 16B display pertinent data gathered from both state and local agencies. The reader may use this information to examine the relationship between the number of out-of-state placements reported by state and local agencies, and the number of compact-arranged placements reported by state agencies. Consequently, the proportion of children placed through a compact in relation to all out-of-state placements arranged in 1978 can be discerned. Also, Tables 16A and 16B allow for an examination of compact utilization in states with state-operated services to children. The preceding discussion has not examined findings on compact use among states with no services under the

TABLE 15A. NATIONAL SURVEY: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL CHILD WELFARE AND EDUCATION AGENCIES IN 1978, BY STATE AND AGENCY TYPE

State	Number of CHILDREN					
	Child Welfare			Education		
	Through a Compact	Without a Compact	Compact Use Unknown	Through a Compact	Without a Compact	Compact Use Unknown
Alabama	--	--	--	--	--	--
Alaska	--	--	--	0	11	0
Arizona	--	--	--	0	1	0
Arkansas	--	--	--	0	1	0
California	84	22	69	0	92	5
Colorado	166	17	16	2	7	0
Connecticut	--	--	--	13	137	1
Delaware	--	--	--	0	38	0
Dist. of Columbia	--	--	--	--	--	--
Florida	--	--	--	0	9	0
Georgia	83	16	44	0	27	1
Hawaii	--	--	--	--	--	--
Idaho	--	--	--	0	16	0
Illinois	--	--	--	0	0	374
Indiana	130	10	48	0	7	0
Iowa	--	--	--	0	47	0
Kansas	--	--	--	0	4	0
Kentucky	--	--	--	0	5	0
Louisiana	--	--	--	0	2	0
Maine	--	--	--	2	26	3
Maryland	84	64	125	0	400	28
Massachusetts	--	--	--	2	77	0
Michigan	--	--	--	--	--	--
Minnesota	75	95	32	8	88	32
Mississippi	--	--	--	1	1	6
Missouri	--	--	--	--	--	--
Montana	79	1	20	0	19	0
Nebraska	32	1	11	0	9	0
Nevada	0	9	0	1	24	3
New Hampshire	--	--	--	1	56	0

TABLE 15A. (Continued)

State	Number of CHILDREN					
	Child Welfare			Education		
	Through a Compact	Without a Compact	Compact Use Unknown	Through a Compact	Without a Compact	Compact Use Unknown
New Jersey	--	--	--	0	210	9
New Mexico	--	--	--	--	--	--
New York	90	38	25	0	126	0
North Carolina	200	18	50	2	17	5
North Dakota	38	5	13	0	6	0
Ohio	300	93	41	--	--	--
Oklahoma	--	--	--	0	5	0
Oregon	--	--	--	--	--	--
Pennsylvania	52	44	27	0	1	0
Rhode Island	--	--	--	1	63	1
South Carolina	--	--	--	0	2	0
South Dakota	--	--	--	0	29	0
Tennessee	--	--	--	1	11	0
Texas	210	12	42	0	7	1
Utah	--	--	--	0	5	0
Vermont	--	--	--	0	5	0
Virginia	80	11	12	0	330	0
Washington	--	--	--	0	1	0
West Virginia	--	--	--	0	21	0
Wisconsin	19	17	10	0	2	0
Wyoming	40	18	14	1	23	0
Total	1,762	491	599	35	1,968	470
Percent	61.8	17.2	21	1.4	79.6	19

-- denotes Not Applicable.

TABLE 15B. NATIONAL SURVEY: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL JUVENILE JUSTICE AND MENTAL HEALTH AND MENTAL RETARDATION AGENCIES IN 1978, BY STATE AND AGENCY TYPE

State	Number of CHILDREN					
	Juvenile Justice			Mental Health and Mental Retardation		
	Through a Compact	Without a Compact	Compact Use Unknown	Through a Compact	Without a Compact	Compact Use Unknown
Alabama	162	77	14	--	--	--
Alaska	--	--	--	--	--	--
Arizona	4	9	7	--	--	--
Arkansas	9	21	21	--	--	--
California	147	50	33	0	6	0
Colorado	50	22	57	--	--	--
Connecticut	--	--	--	--	--	--
Delaware	--	--	--	--	--	--
Dist. of Columbia	--	--	--	--	--	--
Florida	--	--	--	--	--	--
Georgia	7	35	6	--	--	--
Hawaii	--	--	--	--	--	--
Idaho	20	34	11	--	--	--
Illinois	23	58	17	--	--	--
Indiana	43	37	63	--	--	--
Iowa	51	56	4	--	--	--
Kansas	118	40	80	0	3	0
Kentucky	0	3	0	--	--	--
Louisiana	6	12	6	--	--	--
Maine	--	--	--	--	--	--
Maryland	--	--	--	0	10	0
Massachusetts	--	--	--	--	--	--
Michigan	19	65	6	1	15	0
Minnesota	59	56	19	--	--	--
Mississippi	--	--	--	6	0	0
Missouri	26	80	20	--	--	--
Montana	12	17	7	--	--	--
Nebraska	7	10	0	0	9	0
Nevada	51	56	5	--	--	--
New Hampshire	6	10	0	--	--	--

TABLE 15B. (Continued)

State	Number of CHILDREN					
	Juvenile Justice			Mental Health and Mental Retardation		
	Through a Compact	Without a Compact	Compact Use Unknown	Through a Compact	Without a Compact	Compact Use Unknown
New Jersey	149	60	1	--	--	--
New Mexico	33	92	13	--	--	--
New York	69	52	32	0	5	0
North Carolina	--	--	--	0	1	0
North Dakota	--	--	--	3	0	52
Ohio	57	109	125	--	--	--
Oklahoma	3	33	0	--	--	--
Oregon	48	30	37	--	--	--
Pennsylvania	26	7	10	1	0	0
Rhode Island	--	--	--	--	--	--
South Carolina	--	--	--	--	--	--
South Dakota	--	--	--	--	--	--
Tennessee	45	56	15	--	--	--
Texas	65	168	27	--	--	--
Utah	--	--	--	32	24	2
Vermont	--	--	--	--	--	--
Virginia	0	52	0	--	--	--
Washington	61	0	33	--	--	--
West Virginia	1	7	1	--	--	--
Wisconsin	1	15	1	1	13	2
Wyoming	0	4	0	--	--	--
Total	1,378	1,433	671	44	86	56
Percent	39.6	41.2	19.3	23.7	46.2	30.1

-- denotes Not Applicable.

auspices of local government (i.e., state systems) and these states will be highlighted below.

Compared to states with services under the auspices of local government, those states with state systems were discovered to arrange out-of-state placements through compacts to a much greater extent. For instance, state-operated child welfare and juvenile justice agencies in Florida reported that all their placements were compact arranged in 1978. Several other states had similar patterns of compact use. In the area of child welfare, it can be observed that 13 out of 14 states without local agencies (and reporting compact use) arranged 100 percent of their placements through a compact.

A fairly similar pattern is revealed in Table 16A in states with no local juvenile justice agencies. Florida, Hawaii, Massachusetts, North Dakota, Rhode Island, South Carolina, South Dakota, and Utah have state juvenile justice systems. All out-of-state placements arranged by these agencies in those eight states were compact arranged. In contrast, only 13.5 percent of the placements arranged by state juvenile justice agencies in Alaska were compact arranged. Other states reporting noncompact arranged placements from state juvenile justice systems are Connecticut, Delaware, Maine, and North Carolina.

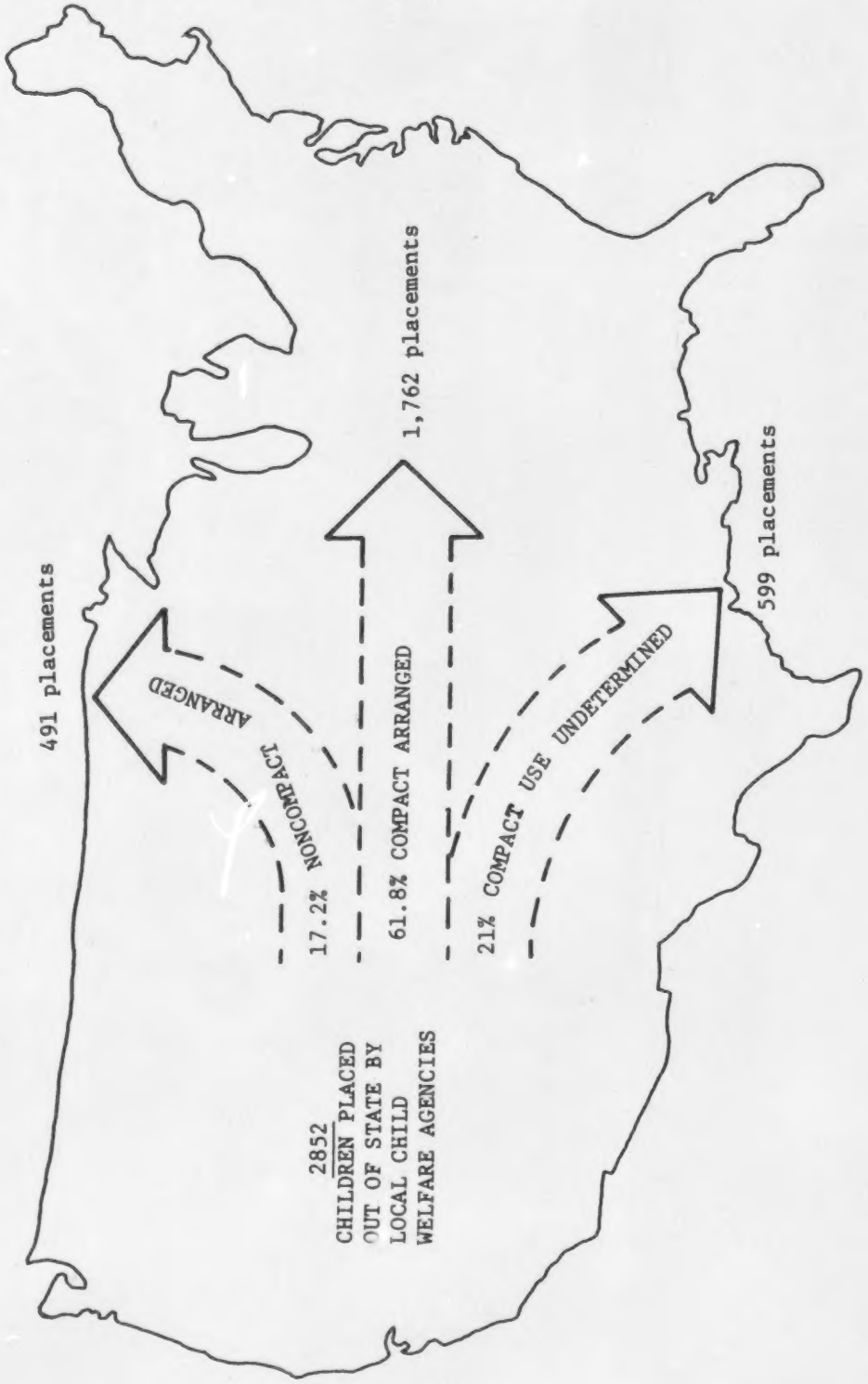
THE OUT-OF-STATE PLACEMENT PRACTICES OF STATE AGENCIES

The number of out-of-state placements arranged by state agencies totaled 5,961 in 1978. Trends in the reported incidence of out-of-state placements among the states as well as the different types of agencies were pointed out and discussed in the second section of this chapter. In addition, comparisons were drawn earlier between the number of out-of-state placements arranged by state agencies and those arranged by local government agencies. This section examines national findings about state agencies concerning:

- The involvement of state agencies in arranging out-of-state placements.
- The destinations of children placed out of state with the knowledge and involvement of state agencies.
- State-reported expenditures for out-of-state placements.
- State agencies' knowledge of out-of-state placements.

The reader's attention is first focused upon a consideration of the number of state agencies which reported arranging out-of-state placements in 1978. There were 215 state agencies included in the survey. Of course, most of those agencies were involved with out-of-state placements through interstate compact administrative responsibilities and such intergovernmental functions as funding reimbursements and approvals. Excluding participation in placements initiated by some other agency in either level of government, Table 17 shows that 53 percent of the state agencies reported arranging out-of-state placements that

FIGURE 3. NATIONAL SURVEY: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL CHILD WELFARE AGENCIES IN 1978



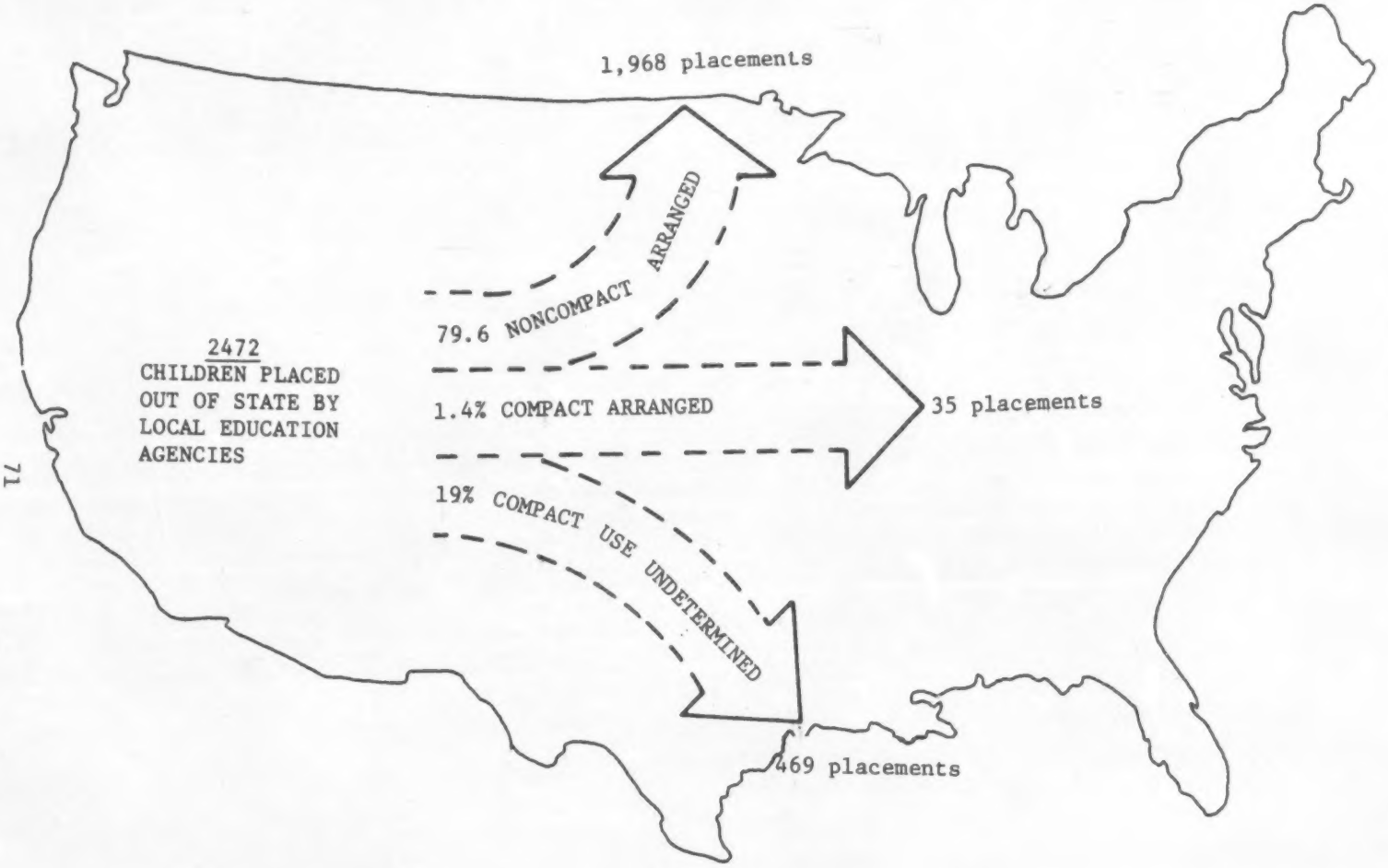


FIGURE 4. NATIONAL SURVEY: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL EDUCATION AGENCIES IN 1978

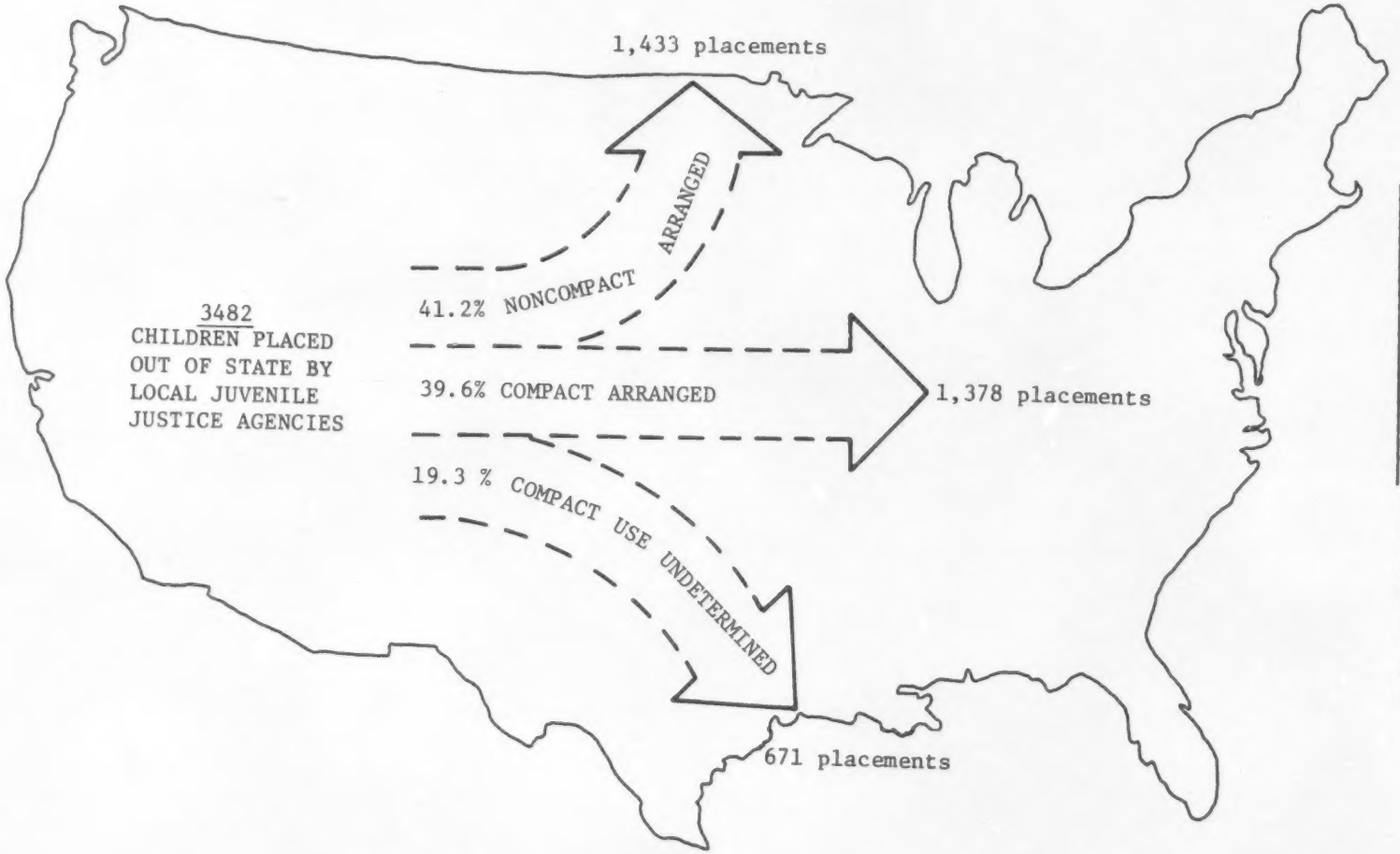


FIGURE 5. NATIONAL SURVEY: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL JUVENILE JUSTICE AGENCIES IN 1978

FIGURE 6. NATIONAL SURVEY: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL MENTAL HEALTH AND MENTAL RETARDATION AGENCIES IN 1978

TABLE 16A. NATIONAL SURVEY: UTILIZATION OF INTERSTATE COMPACTS BY STATE AND LOCAL CHILD WELFARE, EDUCATION, AND JUVENILE JUSTICE AGENCIES IN 1978, AS REPORTED BY STATE AGENCIES

State	Child Welfare			Education			Juvenile Justice		
	Number of Out-of-State Placements Reported by STATE and LOCAL Agencies		Total Compact-Arranged Placements Reported by STATE Agencies	Number of Out-of-State Placements Reported by STATE and LOCAL Agencies		Total Compact-Arranged Placements Reported by STATE Agencies	Number of Out-of-State Placements Reported by STATE and LOCAL Agencies		Total Compact-Arranged Placements Reported by STATE Agencies
	State Arranged	Local Arranged		State Arranged	Local Arranged		State Arranged	Local Arranged	
Alabama	*	--	*	0	0	0	*	253	*
Alaska	*	--	*	0	11	0	74	--	10
Arizona	163	--	163	0	1	0	*	20	32
Arkansas	--	--	--	0	1	0	--	--	--
California	0	175	*	0	97	0	*	230	*
Colorado	4	199	127	0	9	0	32	129	30
Connecticut	--	--	--	0	151	0	48	--	18
Delaware	*	--	*	7	38	0	32	--	29
Dist. of Col.	243	--	*	47	--	0	31	--	31
Florida	435	--	435	0	9	0	404	--	404
Georgia	*	143	*	15	28	3	*	48	14
Hawaii	1	--	1	0	--	0	21	--	21
Idaho	--	--	--	0	16	0	--	--	--
Illinois	*	--	*	0	374[a]	0	*	98	5
Indiana	*	188	*	0	7	0	5	143	5
Iowa	--	--	--	0	47	*	--	--	--
Kansas	--	--	--	2	4	0	--	--	--
Kentucky	--	0	--	5	5	0	--	--	--
Louisiana	--	--	--	0	2	*	--	--	--
Maine	37	--	37	8	31	0	15	--	5

TABLE 16A. (Continued)

State	Child Welfare			Education			Juvenile Justice		
	Number of Out-of-State Placements Reported by STATE and LOCAL Agencies		Total Compact-Arranged Placements Reported by STATE Agencies	Number of Out-of-State Placements Reported by STATE and LOCAL Agencies		Total Compact-Arranged Placements Reported by STATE Agencies	Number of Out-of-State Placements Reported by STATE and LOCAL Agencies		Total Compact-Arranged Placements Reported by STATE Agencies
	State Arranged	Local Arranged		State Arranged	Local Arranged		State Arranged	Local Arranged	
Maryland	71	273	95	0	428	0	153	--	*
Massachusetts	255	--	255	*	79	0	17	--	17
Michigan	--	--	--	5	0	0	--	--	--
Minnesota	*	202	140	0	128	0	*	134	60
Mississippi	56	--	56	0	8	0	*	--	*
Missouri	*	--	*	15	0	0	5	126	6
Montana	*	100	102	5	19	*	18	36	30
Nebraska	*	44	161	0	9	0	76	17	50
Nevada	79	9	58	35	28	0	*	112	41
New Hampshire	30	--	30	0	57	*	*	16	34
New Jersey	*	--	0	0	219	*	10	210	10
New Mexico	209	--	209	0	0	0	0	138	0
New York	0	15	*	0	126	0	36	153	96
North Carolina	--	268	*	0	24	0	134	--	60
North Dakota	*	56	79	0	6	0	20	--	20
Ohio	*	434	239	0	0	0	66	291	66
Oklahoma	766	--	417	0	5	0	87	36	87
Oregon	--	--	--	0	0	0	--	115	--
Pennsylvania	--	--	--	3	1	0	--	--	--
Rhode Island	12	--	12	22	65	0	3	--	3

TABLE 16A. (Continued)

State	Child Welfare: Number of Out-of-State Placements Reported by STATE and LOCAL Agencies: State Arranged	Child Welfare: Number of Out-of-State Placements Reported by STATE and LOCAL Agencies: Local Arranged	Child Welfare: Total Compact-Arranged Placements Reported by STATE Agencies	Education: Number of Out-of-State Placements Reported by STATE and LOCAL Agencies: State Arranged	Education: Number of Out-of-State Placements Reported by STATE and LOCAL Agencies: Local Arranged	Education: Total Compact-Arranged Placements Reported by STATE Agencies	Juvenile Justice: Number of Out-of-State Placements Reported by STATE and LOCAL Agencies: State Arranged	Juvenile Justice: Number of Out-of-State Placements Reported by STATE and LOCAL Agencies: Local Arranged	Juvenile Justice: Total Compact-Arranged Placements Reported by STATE Agencies
South Carolina	286	--	286	0	2	0	28	--	28
South Dakota	73	--	73	13	29	19	24	--	24
Tennessee	75	--	75	0	12	0	50	116	50
Texas	*	264	*	3	8	0	*	260	42
Utah	--	--	--	0	5	0	15	--	15
Vermont	--	--	--	0	5	0	--	--	--
Virginia	38	103	180	0	330	94	*	52	*
Washington	183	--	183	0	1	0	26	94	26
West Virginia	--	--	--	2	21	0	--	--	--
Wisconsin	*	46	*	0	2	0	11	17	11
Wyoming	*	72	69	3	24	*	*	4	*
Totals	3,016	2,729	3,482	190	2,472	116	1,441	2,848	1,467
Grand Total	5,745		3,482	2,662		116	4,289		1,467

* denotes Not Available.

-- denotes Not Applicable.

a. At the request of the Illinois State Board of Education, local education agencies were not surveyed and were not represented on previous tables. At this juncture, however, the state-reported information that 130 districts were involved in arranging 374 out-of-state placements in 1978 and that 881 districts did not place out of state is introduced. See the Illinois profile for more detail.

TABLE 168. NATIONAL SURVEY: UTILIZATION OF INTERSTATE COMPACTS BY STATE AND LOCAL MENTAL HEALTH AND MENTAL RETARDATION AND CONSOLIDATED AGENCIES IN 1978, AS REORTED BY STATE AGENCIES

State	Mental Health and Mental Retardation			Consolidated Agencies		
	Number of Out-of-State Placements Reported by STATE and LOCAL Agencies		Total Compact-Arranged Placements Reported by STATE Agencies	Number of Out-of-State Placements Reported by STATE and LOCAL Agencies		Total Compact-Arranged Placements Reported by STATE Agencies
	State Arranged	Local Arranged		State Arranged	Local Arranged	
Alabama	4	0	4	--	--	--
Alaska	0	--	0	--	--	--
Arizona	2	--	0	--	--	--
Arkansas	17	--	8	32	51[a]	18
California	0	6	0	--	--	--
Colorado	1	*	*	--	--	--
Connecticut	4	--	0	66	--	66
Delaware	6	--	0	--	--	--
Dist. of Col.	11	--	*	--	--	--
Florida	4	--	3	--	--	--
Georgia	11	--	0	--	--	--
Hawaii	0	--	0	--	--	--
Idaho	--	--	--	167	65[a]	128
Illinois	12	--	0	--	--	--
Indiana	0	--	0	--	--	--
Iowa	0	--	0	74	111[a]	74
Kansas	--	--	--	*	241[b]	*
Kentucky	0	--	0	111	3[a]	112
Louisiana	--	--	--	445	24[a]	445
Maine	9	--	0	--	--	--

TABLE 168. (Continued)

State	Mental Health and Mental Retardation			Consolidated Agencies		
	Number of Out-of-State Placements Reported by STATE and LOCAL Agencies		Total Compact-Arranged Placements Reported by STATE Agencies	Number of Out-of-State Placements Reported by STATE and LOCAL Agencies		Total Compact-Arranged Placements Reported by STATE Agencies
	State Arranged	Local Arranged		State Arranged	Local Arranged	
Maryland	11	10	0	--	--	--
Massachusetts	35	--	2	--	--	--
Michigan	*	16	*	*	90[a]	400
Minnesota	4	0	4	--	--	--
Mississippi	1	6	0	--	--	--
Missouri	0	--	0	--	--	--
Montana	15	--	15	--	--	--
Nebraska	2	9	2	--	--	--
Nevada	3	--	0	--	--	--
New Hampshire	0	--	0	--	--	--
New Jersey	31	--	*	--	--	--
New Mexico	7	--	4	--	--	--
New York	10	5	10	--	--	--
North Carolina	4	1	1	*	--	--
North Dakota	0	55	0	--	--	--
Ohio	4	0	4	--	--	--
Oklahoma	0	--	0	--	--	--
Oregon	0	--	0	*	--	99
Pennsylvania	6	1	6	80	166[c]	75
Rhode Island	2	--	2	--	--	--
South Carolina	1	--	*	--	--	--
South Dakota	3	--	3	--	--	--

TABLE 16B. (Continued)

State	Mental Health and Mental Retardation			Consolidated Agencies		
	Number of Out-of-State Placements Reported by STATE and LOCAL Agencies		Total Compact-Arranged Placements Reported by STATE Agencies	Number of Out-of-State Placements Reported by STATE and LOCAL Agencies		Total Compact-Arranged Placements Reported by STATE Agencies
	State Arranged	Local Arranged		State Arranged	Local Arranged	
Tennessee	9	--	9	--	--	--
Texas	6	0	6	--	--	--
Utah	0	58	0	28	--	*
Vermont	0	--	0	6	--	6
Virginia	16	0	16	--	--	--
Washington	2	0	2	--	--	--
West Virginia	0	--	0	52	9[a]	48
Wisconsin	*	16	*	--	--	--
Wyoming	0	--	0	--	--	--
Totals	253	183	101	1,061	760	1,372
Grand Total	436		101	1,821		1,372

* denotes Not Available.

-- denotes Not Applicable.

a. Represents the number of out-of-state placements arranged by local juvenile justice agencies.

b. Three of the 241 placements were arranged by local mental health agencies. The remaining 238 placements were initiated by local juvenile justice agencies.

c. Local child welfare agencies arranged 123 of the 166 out-of-state placements. The remaining 43 placements were arranged by local juvenile justice agencies.

year. Children were placed out of state by 19 state-administered child welfare agencies, 16 state departments of education, 33 state juvenile justice agencies, 36 state agencies responsible for mental health or mental retardation, and another ten state agencies which administered more than one type of service to children. It is also important to observe in Table 17 that 40, or 18.6 percent, of the state agencies did not report whether they arranged any out-of-state placements in 1978.

States of Destination

Information regarding the destinations of children placed out of state in 1978 was requested from state agencies. In total 9,941 children were reported placed out of state with the involvement or knowledge of state officials. These placements consisted of those which were state arranged and funded; locally arranged but state funded; court-ordered, but state arranged or funded; locally arranged and funded, but reported to the state; and those which the state helped arranged, but was not required by law to do so and did not fund the placement. Therefore, this total is descriptive of state officials' abilities to report all state and locally initiated placements of which they were aware.

Table 18 gives the destinations of children placed out of state in 1978 as reported by state agencies and is organized similar to Table 8, in that the state and foreign countries are ranked according to the number of children reportedly sent there.

Important comparisons can be made between the destination information given in Tables 8 and 18. For example, among local Phase II agencies, the destinations were not reported for 34.5 percent of the children placed out of state. In contrast, it can be observed in Table 18 that state agencies could not report the destinations for 55 percent of the out-of-state placements they arranged or otherwise had knowledge about. Also, the reported number and destinations of children placed in foreign countries differs between the two sources of information. For instance, state officials (Table 18) reported no placements in Mexico and a total of 15 children placed in foreign countries. Information from local officials (Table 8) indicated eight placements in Mexico and a total of 16 children placed in foreign countries.

Destinations reported by state officials for relatively greater numbers of out-of-state placements include Pennsylvania (440), Texas (240), California (234) and Maryland (231). Several differences are evident in state rankings between Tables 8 and 18. For example, the District of Columbia is ranked fourth in Table 8 and 13th in Table 18, Arizona is listed as fifth in Table 8 and is 27th in Table 18; and Maryland ranks 26th according to destination information supplied by only local officials, but is fourth when considering only information Obtained from state officials.

TABLE 17. NATIONAL SURVEY: INVOLVEMENT OF STATE AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978, BY AGENCY TYPE

	Number of AGENCIES, by Agency Type					
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation	Consolidated[a]	Total
Agencies Which Reported Out-of-State Placements	19	16	33	36	10	114
Agencies Which Did Not Know If They Placed, or Placed but Could Not Report the Number of Children	18	1	15	3	3	40
Agencies Which Did Not Place Out of State	3	34	1	23	0	61

a. Includes state agencies which reported information representing placement practices involving more than one type of service to children. Generally consists of responses from state agencies responsible for child welfare and juvenile justice or child welfare and mental health services.

TABLE 18. NATIONAL SURVEY: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES

Destinations of Children Placed	Number of CHILDREN Placed	Destinations of Children Placed	Number of CHILDREN Placed
Pennsylvania	440	Tennessee	57
Texas	240	Michigan	56
California	234	Kansas	52
Maryland	231	South Carolina	50
Florida	215	Idaho	49
Georgia	198	New Hampshire	48
Massachusetts	185	Oklahoma	47
Virginia	183	Louisiana	41
Indiana	149	Iowa	40
Utah	141	Minnesota	38
North Carolina	138	South Dakota	38
New York	130	Montana	34
District of Columbia	121	Vermont	31
Ohio	118	Wisconsin	28
Oregon	109	New Mexico	26
Colorado	93	Wyoming	25
Washington	91	North Dakota	18
New Jersey	85	Mississippi	17
Illinois	79	Arkansas	15
Connecticut	78	Delaware	14
		Rhode Island	14
Kentucky	77		
West Virginia	69	Alaska	13
Maine	68	Nevada	10
Alabama	66	Hawaii	9
Arizona	62	Canada	4
		Africa	4
Missouri	60		
Nebraska	59	Europe	3
		Puerto Rico	1
Placements for Which Destinations Could Not be Reported By State Agencies			5,437
Total Number of Placements			9,941

State-Reported Expenditures for Out-of-State Placements

Only a few state governments (i.e., New York, Virginia and New Jersey) conducted budgetary reviews to determine the amounts of public revenue used to purchase out-of-state placements for children. As a result, the majority of state agencies participating in this survey were unable to report information on public expenditures for out-of-state placements in 1978.

The lack of knowledge in state government about costs for out-of-state placements is a significant limitation because such information can serve a number of important purposes. First, fiscal information has significant importance to any assessment about the relative advantages and disadvantages of in-state and out-of-state placement practices. Policies related to children's residential services must be examined not only for their impact on the children and their families, but also in regard to the organizations which serve them and to the budgets under which they operate. Second, knowledge about public expenditures for out-of-state placements has possible implications for the development of in-state resources. The establishment of incentives to develop specialized, in-state services for children may be further justified with better knowledge about how one state's revenue is being expended in other states. Third, the level of governmental responsibility for monitoring the care received by children placed out of state must be influenced somewhat by the money involved in purchasing such services. High levels of expenditures for out-of-state placements seem a sufficient justification for diligent and routine appraisals of the quality of services provided. Finally, at a time of increased competition for scarce public fiscal resources, and in a period of governmental retrenchment, wise decisionmaking requires a reexamintion of all expenditures, particularly those which purchase services in other states.

Information related to public expenditures for out-of-state placement in 1978 was requested from every state government and the District of Columbia. Among the 215 state agencies included in the survey, only 110 were able to report state expenditures for such placements; 103 reported federal expenditures; 99 could also report local expenditures; and 92 were able to report on expenditures related to other sources of revenue. Therefore, the major national pattern about public exepnditures for out-of-state placements which was discovered is the inability of most state officials to report such information. Specific findings regarding state-reported expenditures for out-of-state placements can be referenced in each state profile in Chapter 3.

State Agency Knowledge of Local Out-of-State Placement Practices

Another gap in information discovered among many state agencies concerned their knowledge of out-of-state placements arranged by agencies in local governments. In each state, state officials were asked to report about the children placed out of state by their agency, as well as those placed by their counterparts in local government. For instance, officials in state juvenile corrections agencies were asked to report the number of placements arranged by local courts

and probation agencies, and state departments of education were asked to report about such placements arranged by local school districts. There was considerable variance in the ability of state agencies to both retrieve and report reliable information about the number of out-of-state placements arranged by local agencies in 1978.

Table 19A and 19B display information which enables a comparison of the number of out-of-state placements reported by local agencies with the number of locally arranged placements known to state agencies. Differences in the number of placements reported were calculated as percentages and are presented in the table. A casual review of Tables 19A and 19B reveals one important conclusion; namely, several state agencies were unable to retrieve information about the number of out-of-state placements arranged by their counterparts in local government. Thirty-five state agencies, mostly those responsible for child welfare and juvenile justice, were unable to report complete information of locally arranged placements.

The unavailability of this information could be explained by the nature of the questions which were asked but, in some cases, it simply did not exist in any accessible form. Despite interest in the study, some state officials were unable to take the necessary time to retrieve the data because a manual search of case records was required. In two states, project staff manually searched children's case records and recorded the necessary information themselves. Other accessibility problems related to the incompatibility of state information systems with the parameters of this research. For example, placements with parents and return of runaways, which were not to be included in the study, could not be separated from the total figure of children placed out of state. Similarly, accessible data sometimes included placements made prior to 1978, which of course was not germane to this study. In certain agencies, information-reporting ability was acceptable in one bureau but not another. For instance, excellent data was maintained by the adoption bureau of a state child welfare agency, but recordkeeping in the foster care bureau was inadequate. Finally, it was discovered that a few state agencies just did not have recordkeeping practices which included the systematic collection and storage of data about the out-of-state placement practices of local agencies.

Further review of Tables 19A and 19B reveal that generally those state agencies which did report their knowledge of the number of locally arranged placements were in disagreement with the number of such placements reported by the local agencies themselves. Moreover, the number of locally arranged placements known to state agencies were found to be both overrepresentations and underrepresentations of the figures reported by local agencies. However, state departments of education, more often than any other agency type, were found to possess the most reliable data about their counterparts in local government.

Inconsistencies between the number of placements known to state agencies and those reported by local agencies are a result of a number of factors. Surely, some local agencies simply did not report out-of-state placements to state officials, particularly if no state funds were involved. In some instances, state agency officials were either unaware or unsure of local governmental practices because of their monitoring and recordkeeping practices. When data was retrieved from a compact office, it was difficult to assume that there existed consistent compliance with the compact by local agencies. Instances

were discovered verifying locally initiated placements that occurred without the knowledge of the compact office. Some state juvenile court legislation contains provisions which permit the juvenile court to make out-of-state placements without the involvement of a state agency. In other cases, compact administrators started processing out-of-state placements but never completed them, leaving state agencies at a loss to report whether the children actually left the state.

OUT-OF-STATE PLACEMENT POLICIES AND PRACTICES AMONG FEDERAL AGENCIES

This final section of the national overview describes the out-of-state placement policies and practices of three federal agencies: CHAMPUS, the Bureau of Prisons, and the Bureau of Indian Affairs. These three agencies were selected because of their pivotal role in affecting both the arrangement and funding of out-of-state residential placements for children.

CHAMPUS

The Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) is operated by the U.S. Department of Defense. CHAMPUS helps pay for medical care provided to dependents of active, retired, and deceased military personnel. CHAMPUS programs operate in a manner similar to the Medicare/Medicaid programs, contracting with third-party payors, usually insurance companies, to pay for civilian care. These fiscal intermediaries then claim reimbursement from CHAMPUS.

CHAMPUS consists of a Basic Program of medical benefits and a Program for the Handicapped. (Only dependents of active duty personnel are eligible for benefits under the Program for the Handicapped.) Under the Basic Program, CHAMPUS will share the cost with the beneficiary of medically necessary services and supplies required in the diagnosis and treatment of medical, surgical, nervous, mental, and chronic conditions. While benefits may not be extended for simple custodial care, CHAMPUS does share costs with the beneficiary for long-term psychiatric treatment of emotionally disturbed children in residential treatment centers that qualify as CHAMPUS-approved providers. In order to be approved, residential treatment centers must provide "a total therapeutically planned group living and learning situation within which individual psychotherapeutic approaches are integrated."[8] However, payments for treatment in residential facilities are excluded when such care is provided as a result of court orders in lieu of incarceration for criminal acts.

Under the Program for the Handicapped, CHAMPUS shares the costs of rehabilitative services and supplies needed to help seriously physically handicapped or moderately to severely mentally retarded children. This includes long-term residential (in-patient) care in private, nonprofit, or public institutions

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TABLE 19A. NATIONAL SURVEY: STATE CHILD WELFARE, EDUCATION AND JUVENILE JUSTICE AGENCIES' KNOWLEDGE OF LOCALLY ARRANGED OUT-OF-STATE PLACEMENTS IN 1978

	Number of CHILDREN Placed								
	Child Welfare			Education			Juvenile Justice		
	Placements Reported by Local Agencies	Placements Known to State Agency	Percentage of Placements Known to State Agency	Placements Reported by Local Agencies	Placements Known to State Agency	Percentage of Placements Known to State Agency	Placements Reported by Local Agencies	Placements Known to State Agency	Percentage of Placements Known to State Agency
Alabama	--	--	--	0	0	100	253	*	*
Alaska	--	--	--	11	4	36	--	--	--
Arizona	--	--	--	1	1	100	20	*	*
Arkansas	--	--	--	1	0	0	--	--	--
California	175	*	*	97	36	37	230	*	*
Colorado	199	146	73	9	1	11	129	2	2
Connecticut	--	--	--	151	121	80	--	--	--
Delaware	--	--	--	38	38	100	--	--	--
District of Columbia	--	--	--	--	--	--	--	--	--
Florida	--	--	--	9	14	100[a]	--	--	--
Georgia	143	*	*	28	50	100[a]	48	*	*
Hawaii	--	--	--	--	--	--	--	--	--
Idaho	--	--	--	16	15	94	--	--	--
Illinois	--	--	--	*[b]	374	*	98	*	*
Indiana	188	*	*	7	7	100	143	0	0
Iowa	--	--	--	47	33	70	--	--	--
Kansas	--	--	--	4	4	100	--	--	--
Kentucky	0	*	*	5	0	0	--	--	--
Louisiana	--	--	--	2	6	100[a]	--	--	--
Maine	--	--	--	31	29	94	--	--	--

TABLE 19A. (Continued)

	Number of CHILDREN Placed								
	Child Welfare			Education			Juvenile Justice		
	Placements Reported by Local Agencies	Placements Known to State Agency	Percentage of Placements Known to State Agency	Placements Reported by Local Agencies	Placements Known to State Agency	Percentage of Placements Known to State Agency	Placements Reported by Local Agencies	Placements Known to State Agency	Percentage of Placements Known to State Agency
Maryland	273	24	9	428	390	91	--	--	--
Massachusetts	--	--	--	79	*	*	--	--	--
Michigan	--	--	--	0	0	100	--	--	--
Minnesota	202	*	*	128	*	*	134	*	*
Mississippi	--	--	--	8	8	100	--	--	--
Missouri	--	--	--	0	0	100	126	1	1
Montana	100	*	*	19	24	100[a]	36	12	33
Nebraska	44	*	*	9	11	100[a]	17	9	53
Nevada	9	0	0	28	0	0	112	*	*
New Hampshire	--	--	--	57	39	68	16	*	*
New Jersey	--	--	--	219	*	*	210	0	0
New Mexico	--	--	--	0	0	100	138	0	0
New York	153	174	100[a]	126	126	100	153	*	*
North Carolina	268	*	*	24	33	100[a]	--	--	--
North Dakota	56	*	*	6	6	100	--	--	--
Ohio	434	*	*	0	0	100	291	156	54
Oklahoma	--	--	--	5	0	0	36	0	0
Oregon	--	--	--	0	0	100	115	*	*
Pennsylvania	--	--	--	1	0	0	--	--	--
Rhode Island	--	--	--	65	0	0	--	--	--

TABLE 19A. (Continued)

	Number of CHILDREN Placed								
	Child Welfare			Education			Juvenile Justice		
	Placements Reported by Local Agencies	Placements Known to State Agency	Percentage of Placements Known to State Agency	Placements Reported by Local Agencies	Placements Known to State Agency	Percentage of Placements Known to State Agency	Placements Reported by Local Agencies	Placements Known to State Agency	Percentage of Placements Known to State Agency
South Carolina	--	--	--	2	3	100[a]	--	--	--
South Dakota	--	--	--	29	29	100	--	--	--
Tennessee	--	--	--	12	5	42	116	0	0
Texas	164	*	*	8	8	100	260	*	*
Utah	--	--	--	5	0	0	--	--	--
Vermont	--	--	--	5	5	100	--	--	--
Virginia	103	142	100[a]	330	330	100	52	*	*
Washington	--	--	--	1	1	100	94	0	0
West Virginia	--	--	--	21	41	100[a]	--	--	--
Wisconsin	46	*	*	2	2	100	17	*	*
Wyoming	72	*	*	24	75	100[a]	4	*	*

* denotes Not Available.
-- denotes Not Applicable.

a. The state agency attributed more out-of-state placements to local agencies than were identified in the local survey.

b. At the request of the Illinois State Board of Education, local education agencies were not surveyed and were not represented on previous tables. At this juncture, however, the state-reported information that 130 districts were involved in arranging 374 out-of-state placements in 1978 and that 881 districts did not place out of state is introduced. See the Illinois profile for more detail.

TABLE 19B. NATIONAL SURVEY: STATE MENTAL HEALTH AND MENTAL RETARDATION AND CONSOLIDATED AGENCIES' KNOWLEDGE OF LOCALLY ARRANGED OUT-OF-STATE PLACEMENTS IN 1978

	Number of CHILDREN Placed					
	Mental Health and Mental Retardation			Consolidated Agencies		
	Placements Reported by Local Agencies	Placements Known to State Agency	Percentage of Placements Known to State Agency	Placements Reported by Local Agencies	Placements Known to State Agency	Percentage of Placements Known to State Agency
Alabama	0	0	100	--	--	--
Alaska	--	--	--	--	--	--
Arizona	--	--	--	--	--	--
Arkansas	--	--	--	51[a]	18	35
California	6	*	*	--	--	--
Colorado	*	0	*	--	--	--
Connecticut	--	--	--	--	--	--
Delaware	--	--	--	--	--	--
District of Columbia	--	--	--	--	--	--
Florida	--	--	--	--	--	--
Georgia	--	--	--	--	--	--
Hawaii	--	--	--	--	--	--
Idaho	--	--	--	65[a]	0	0
Illinois	--	--	--	--	--	--
Indiana	--	--	--	--	--	--
Iowa	--	--	--	111[a]	0	0
Kansas	--	--	--	241[b]	*	*
Kentucky	--	--	--	3[a]	1	33
Louisiana	--	--	--	24[a]	0	0
Maine	--	--	--	--	--	--

TABLE 198. (Continued)

	Number of CHILDREN Placed					
	Mental Health and Mental Retardation			Consolidated Agencies		
	Placements Reported by Local Agencies	Placements Known to State Agency	Percentage of Placements Known to State Agency	Placements Reported by Local Agencies	Placements Known to State Agency	Percentage of Placements Known to State Agency
Maryland	10	0	0	--	--	--
Massachusetts	--	--	--	--	--	--
Michigan	16	*	*	90[a]	*	*
Minnesota	0	0	100	--	--	--
Mississippi	6	0	0	--	--	--
Missouri	--	--	--	--	--	--
Montana	--	--	--	--	--	--
Nebraska	9	0	0	--	--	--
Nevada	--	--	--	--	--	--
New Hampshire	--	--	--	--	--	--
New Jersey	--	--	--	--	--	--
New Mexico	--	--	--	--	--	--
New York	5	0	0	--	--	--
North Carolina	1	18	100[c]	--	--	--
North Dakota	55	0	0	--	--	--
Ohio	0	0	100	--	--	--
Oklahoma	--	--	--	--	--	--
Oregon	--	--	--	--	--	--
Pennsylvania	1	0	0	166[d]	20	12
Rhode Island	--	--	--	--	--	--

TABLE 19B. (Continued)

	Number of CHILDREN Placed					
	Mental Health and Mental Retardation			Consolidated Agencies		
	Placements Reported by Local Agencies	Placements Known to State Agency	Percentage of Placements Known to State Agency	Placements Reported by Local Agencies	Placements Known to State Agency	Percentage of Placements Known to State Agency
South Carolina	--	--	--	--	--	
South Dakota	--	--	--	--	--	--
Tennessee	--	--	--	--	--	--
Texas	0	0	100	--	--	--
Utah	58	0	0	--	--	--
Vermont	--	--	--	--	--	--
Virginia	0	0	100	--	--	--
Washington	0	0	100	--	--	--
West Virginia	--	--	--	9[a]	*	*
Wisconsin	16	*	*	--	--	--
Wyoming	--	--	--	--	--	--

* denotes Not Available.

-- denotes Not Applicable.

a. Represents the number of out-of-state placements arranged by local juvenile justice units of consolidated agencies.

b. Three of the 241 placements were arranged by local mental health agencies. The remaining 238 placements were initiated by local juvenile justice agencies.

c. The state agency attributed more out-of-state placements to local agencies than were identified in the local survey.

d. Local child welfare agencies arranged 123 of the 166 out-of-state placements. The remaining 43 placements were arranged by local juvenile justice agencies.

located within the continental United States. Such institutions include schools for the deaf and blind, institutions for physically handicapped persons, and facilities which serve mentally disabled persons. When an application for benefits is filed, a statement must be submitted from an appropriate public offical certifying that adequate public facilities are not available or that public funds are not available.

Both CHAMPUS programs only provide funding for eligible children's care. CHAMPUS is not directly involved in the placement of children or in providing services. The placement decision must be initiated and arranged by the parents or public agencies' direct-service personnel.

Due to the large financial expense in obtaining a special data access program and Department of Defense security restrictions upon public access to records which could reveal troop locations, the current number of children funded by CHAMPUS for residential placement outside of their states of residence was not accessible. It is of interest to note that in The Interstate Placement of Children: A Preliminary Report, it was reported that approximately 200 of the 250 children funded through the CHAMPUS Basic Program were in residential care outside of their states of residence.[9] Data was not reported for the Program for the Handicapped.

Bureau of Prisons

The Bureau of Prisons (BOP), within the U.S. Department of Justice, receives offenders of all ages committed under the Juvenile Justice and Delinquency Prevention Act (JJDPA), the Youth Corrections Act, or sentencing provisions from the federal criminal code, as appropriate. The status of a juvenile is determined not merely by the youth's age, but by the fact that they were processed under the federal JJDP Act. Offenders under 18 may be prosecuted as adults, under certain circumstances. In fiscal 1978, 56 percent of the committed federal "juveniles" were age 18 and over, and 73 percent were age 17 or over. Therefore, the majority of juveniles in the federal system would be considered young adults in most states.

Detention of federally charged juveniles is determined by U.S. marshals. When juveniles are apprehended, they are taken to the nearest approved place of detention, usually county or state juvenile detention facilities.

As a result of the Juvenile Justice and Delinquency Prevention Act of 1974, the Bureau restricted the confinement of adjudicated juvenile delinquents to seven federal facilities for youthful offenders. Exceptions were only made in unusual circumstances. In 1976, the decision was made to remove all juveniles from BOP facilities and to board them in nonfederal juvenile facilities (state, local, and private). Foster homes, group homes, psychiatric hospitals, or treatment centers for the emotially disturbed are used, as well as traditional detention centers. An estimated $3 million was spent on purchase-of-service contracts in fiscal 1978 for the 161 juveniles committed to the BOP at that time.[10]

Due to the lack of facilities in many communities, 125 of the 161 juveniles were placed outside of their states of residence. The BOP reports difficulty in contracting for services within a youth's own community because of a shortage of space or the unwillingness of the providers to handle particularly difficult cases. Prior success with certain programs was also reported as a reason for the BOP making out-of-state placements. The average length of stay is one year for juveniles. Semiannual to monthly on-site visits are made by BOP personnel to monitor juveniles' progress. According to BOP officials, telephone contact is made on a more frequent basis, often weekly.

Bureau of Indian Affairs

The Bureau of Indian Affairs (BIA), within the U.S. Department of the Interior, operates an extensive boarding school and social service program for Indians living on or near reservations. The BIA Office of Indian Education Programs, Division of Elementary and Secondary Education, supervises 14 elementary and secondary off-reservation boarding schools (ORBS) which offer educational programs for children. The secondary schools have traditionally focused on vocational training, but recently have placed more emphasis on college preparatory education.

The Indian Child Welfare Act of 1978 mandates the BIA to gain parental consent for off-reservation placements.[11] It is also BIA policy to attempt to find appropriate education settings within a child's state of residence. This is not always as clear-cut as it may seem, due to the fact that Indian reservation boundaries do not coincide with state lines. The criteria for sending Indian youth to an ORBS are based on educational and social needs. Children may be enrolled because of their need for special vocational training, for preparatory programs or for bilingual education. They may live in isolated areas with limited educational programs being accessible. Finally, children or their families may be experiencing social problems which warrant boarding school placement. This last factor includes youth who have been in conflict with the law and who may be given the option by the courts to attend an ORBS, rather than being placed in detention.

In the 1978 school year, an estimated 3,177 Indian children were enrolled in ORBS which were located outside of their states of residence.[12] This number represents approximately 43 percent of the ORBS population at that time.[13] Despite six off-reservation boarding schools being in Oklahoma, the one ORBS in Utah had the largest out-of-state population. Table 20 shows the distribution of placements by states in which the ORBS are located.

It was reported that the BIA will be closing four of their ORBS. A Bureau review shows the average daily per-pupil costs to be too high to justify continuation. Federal education laws and court decisions have placed more emphasis on local public education agencies providing appropriate education for all children located in their region. This local district financial responsibility removes the burden from the BIA to provide education for Indian children. For

instance, it was reported that the U.S. Department of Education may use Title VII monies to assure bilingual education for Indians.

The BIA 1979-80 school year figures for ORBS attendance show a 33 percent drop in total enrollments and a ten percent decline in out-of-state educational placements. Because in-state enrollments are declining so much faster than out-of-state placements, the latter group now represents over one-half the aggregate student population. These 2,851 Indian children from out of state make up 57 percent of the children enrolled in ORBS in 1980, compared to the 43 percent in the 1978 school year.

The BIA also administers social service programs on or near every major reservation in the country. These programs offer services needed by Indians in the area which are not supplied by state and local governments. In general, public assistance, social welfare, and child welfare services may be offered to a reservation population if such assistance and services are not available through state or local public welfare agencies. It was reported that more emphasis is now being placed on BIA withdrawal from these service areas, except where the tax-exempt status of large expanses of Indian lands leaves state and local governments unable to financially manage full social service programs for their Indian populations.

TABLE 20. NATIONAL SURVEY: NUMBER OF INDIAN CHILDREN PLACED IN OUT-OF-STATE OFF-RESERVATION BOARDING SCHOOLS (ORBS) BY THE BUREAU OF INDIAN AFFAIRS IN 1978, BY STATE OF DESTINATION

State of Destination	Number of Off-Reservation Boarding Schools	Number of CHILDREN Placed
Alaska	1	3
Arizona	1	63 est
California	1	666
Nevada	1	490
North Dakota	1	166
Oklahoma	6	338 est
Oregon	1	225 est
South Dakota	1	554
Utah	1	672
Total	14	3,177

> In the absence of State services, most child welfare assistance and services are provided directly by the Bureau but, in addition, the Bureau has contracts with five state welfare departments for the provision of foster care to Indian children.[14]

In 1978, an average of 2,770 children received assistance every month through foster and institutional care. Over $12.3 million was allocated for this out-of-home care. Case records for 1978 show mental illness or emotional disturbance to be the most commonly identified problem for which Indian children received services from the BIA, followed by dependency cases and delinquency charges. The BIA social service staff takes an active role in recommending approval or disapproval of applications to the BIA-operated boarding schools when the placement of an Indian child is based on social rather than educational needs.

The provisions of the Indian Child Welfare Act of 1978 have delineated detailed procedures for the placement of Indian children by the BIA, and state and local social service personnel. Parental rights, custody proceedings, placement preferences (first to family, then to other tribal members, and next to other Indian families), and the adopted child's right to learn of tribal affiliation are all outlined in this act. The out-of-state placement of Indian children, then, is controlled by these same procedures and guidelines.

Specific out-of-state placement data for 1978 was not available from the BIA social service programs' central office.

FOOTNOTES

1. Children's Defense Fund, Children Without Homes: An Examination of Public Responsibility to Children in Out-of-Home Care (Washington, D.C.: 1978), p. 59.

2. Council of State Governments, The Interstate Placement of Children: A Preliminary Report (Lexington, Ky.: 1978).

3. The extent of interagency cooperation in states to arrange out-of-state placements is reported in each state profile in the regional volumes.

4. Comparable inquiries were made among state officials through case studies conducted in seven states. See Academy for Contemporary Problems, The Out-of-State Placement of Children: A Search for Rights, Boundaries, Services (Columbus, Ohio: 1981).

5. See The Interstate Placement of Children: A Preliminary Report; The Out-of-State Placement of Children: A Search for Rights, Boundaries, Services; and Academy for Contemporary Problems, Readings in Public Policy (Columus, Ohio: 1981).

6. Indiana and Wisconsin adopted the ICPC in late 1978.

7. For a fuller discussion of these issues in addition to other important considerations about compacts, see The Out-of-State Placement of Children: A Search for Rights, Boundaries, Services; and Readings in Public Policy.

8. From narrative supplied by Joseph C. Rhea, Chief, Program Planning and Policy Division, Department of Defense, Office of Civilian Health and Medical Program of the Uniformed Services, May 1980.

9. The Interstate Placement of Children: A Preliminary Report.

10. This includes individuals over the age of 18, youth placed in facilities within their state of residence, and some juveniles committed and placed before fiscal 1978.

11. Federal Public Law 95-608.

12. Due to each school's variation in data accessibility, enrollment figures were reported for either September 1977 through May 1978, or September 1978 through May 1979.

13. These figures include children who may have attended these schools in previous years and were enrolled again for the 1978 school year.

14. U.S. Department of the Interior, Bureau of Indian Affairs, "Information About...Bureau of Indian Affairs, Social Service Program," May 1978.

ABOUT THE STATE PROFILES

ABOUT THE STATE PROFILES

Essential to the use of this study are the state profiles available in five separate regional volumes. See the inside back cover for details about how to order one or more of these. The volumes are as follows:

WEST: *(NCJ 80816)*

- Alaska
- Arizona
- California
- Hawaii
- Idaho
- Montana
- Nevada
- Oregon
- Utah
- Washington
- Wyoming

NORTH CENTRAL: *(NCJ 80817)*

- Illinois
- Indiana
- Iowa
- Michigan
- Minnesota
- Nebraska
- North Dakota
- Ohio
- South Dakota
- Wisconsin

SOUTH CENTRAL: *(NCJ 80818)*

- Arkansas
- Colorado
- Kansas
- Louisiana
- Mississippi
- Missouri
- New Mexico
- Oklahoma
- Texas

SOUTHEAST: *(NCJ 80820)*

- Alabama
- District of Columbia
- Florida
- Georgia
- Kentucky
- Maryland
- North Carolina
- South Carolina
- Tennessee
- Virginia
- West Virginia

NORTHEAST: *(NCJ 80819)*

- Connecticut
- Delaware
- Maine
- Massachusetts
- New Hampshire
- New Jersey
- New York
- Pennsylvania
- Rhode Island
- Vermont

(In some cases, regional lines were fixed arbitrarily either to keep a similar number of pages in each of the supplemental volumes or to avoid having interstate metropolitan areas, e.g., Washington, D.C., or Kansas City, divided between different volumes.)

Each state profile presents the results of a systematic examination of their child care agencies and their involvement with out-of-state residential care for children. The information is organized in a manner which will support comparisons among agencies of the same type in different counties or among different types within the state. Comparisons of data among various states, discussed in Chapter 2, are based upon the state profiles that appear here.

The states, and the agencies within them, differed markedly in both the manner and frequency of arranging out-of-state placements in 1978. The organizational structures and the attendant policies also varied widely from state to state. Yet, all state governments had major responsibilities for regulating the placements of children across state lines for residential care. The methods employed by state agencies for carrying out these responsibilities and their relative levels of effectiveness in achieving their purposes can be ascertained in the state profiles. As a result, the state profiles are suggestive of alternative policies which agencies might select to change or improve the regulation of the out-of-state placement of children within their states.

Descriptive information about each state will also serve to identify the trends in out-of-state placement policy and practice discussed in Chapter 2. State governments can and do constitute major influences upon the behavior of both state and local public agencies as they alter their policies, funding patterns, and enforcement techniques. The effects can be seen in changes in the frequencies with which children are sent to live outside their home states of residence. Ideally, these state profiles will serve as benchmarks for measuring change, over time, with respect to the involvement of public agencies in arranging out-of-state placements.

CONTENTS OF THE STATE PROFILES

Each profile contains four sections. The first two sections identify those officials in state government who facilitated the completion of the study in the particular state. These sections also describe the general methodology used to collect the information presented. The third section offers a basic description of the organization of youth services as they relate to out-of-state placement policies. The fourth section offers annotated tables about that state's out-of-state placement practices. The discussion of the survey results include:

- The number of children placed in out-of-state residential settings.
- The out-of-state placement practices of local agencies.
- Detailed data from Phase II agencies.
- Use of interstate compacts by state and local agencies.
- The out-of-state placement practices of state agencies.
- State agencies' knowledge of out-of-state placement.

The final section presents some final observations and conclusions about state and local out-of-state placement practices that were gleaned from the data.

It is important to remember when reading the state profiles that the tables contain self-reported data for 1978, collected by the Academy in 1979. They may not reflect all organizational changes that have occurred since that time and the data might be at variance with reports published after this survey was completed.

APPENDIX A

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NATIONAL SURVEY METHODOLOGY

A description of methodology is a vital part of the reporting about any research endeavor, and methodological concerns have particular significance for this study of the out-of-state placement of children.

The study is the largest and most complex undertaking of its kind on the subject, and a strong grasp of the methods used to collect the data is critical for accurate interpretation of the results. Some effort has been made to incorporate explanations of the data in the reporting, but this information is not sufficient by itself for accurate interpretation. Additionally, because replicability is an important issue in research, the methodology described in this appendix could help guide follow-up studies by different levels of government when more thorough monitoring of out-of-state placements is desired. Pursuant to this last purpose, notable field experiences in the collection of data have been provided for the benefit of those wishing to follow.

Overview of the Out-of-State Placement Study

Before delineating the methodology used to collect the data in these six volumes, a general description of the overall project will help to put the survey results in perspective.

The study is basically a two-phase effort consisting of the national survey and selected case studies in seven states.[1] These first six volumes contain the national survey results and are intended to be sourcebooks of baseline out-of-state placement information for the entire nation and for each state. The second phase, the two-volume Out-of-State Placement of Children: A Search for Rights, Boundaries, Services, contains the case study findings as well as extensive legal research and literature review on interstate placements. The companion volumes present an overall synthesis of findings from both phases of the study to produce conclusions and policy recommendations.

Together, these volumes constitute a comprehensive statement on the incidence of out-of-state placements, the legal basis for this practice used in each state, the academic and popular literature on the subject, and the policies, procedures, and issues emergent in selected states.

Objectives

Pursuant to the conclusions derived from a feasibility study[2] and additional factors, the objectives of the national survey were formulated to:

1. Determine the extent to which certain public agencies arrange for and are otherwise involved in placing children out of state and in foreign countries.

2. Provide a national census and comparable state/county-specific baselines of children placed out of state in 1978.

3. Gather related indicators of public policy and state law for a systematically controlled analysis of national practices.

4. Develop a base of information which would facilitate recommendations for policy development and change.

Variables

Most variables upon which data collection was based were fairly easy to operationalize, except for the two key variables, "interstate placement" and "public agency." These two variables were considered to be very important because:

- The notion of interstate placement is subject to multiple interpretations requiring an exact definition of terms for comparable results across agencies and states.

- Public agencies are the basic unit for data collection and analysis for the study.

The term "interstate" was not utilized because the national survey would focus on sending practices of states, or those actions taken by a public agency associated with placing children in another state or in a foreign country. For this reason, the term "out of state" replaced "interstate."

The remaining variables, such as frequency of follow-up procedures or the type of child placed out of state, are fairly straightforward and do not require the close attention for operationalization as these two key concepts.

Out-of-State Placement

The out-of-state placement of children was defined for the purposes of this survey as:

> When someone under the age of 18 is sent, with the involvement of a public agency, to live away from home and in another state or country.

All placements in institutions, facilities, and foster, relative, or adoptive homes in other states or countries were included, but not placements with the child's parents and not simply the return of runaways. Therefore, children placed out of state by a public agency to training schools, psychiatric hospitals, boarding or other special schools, residential treatment centers, group homes, foster homes, and the homes of relatives or adoptive parents were counted in the survey.

Public agencies are involved in out-of-state placements in a variety of ways, but not all types of involvement were sufficiently important to record as a part of the survey. For example, involvement which mainly consists of providing information, such as naming potential facilities in which a child might be placed, was not recorded. This involvement must include some form of active participation and responsibility in the decision to place a child out of state.

There are four basic ways in which an agency may be involved in the out-of-state out-of-state placement of children. These arrangements form the basis upon which the staff collected information on the frequency of out-of-state placements and associated practices and procedures in the agencies surveyed. An out-of-state placement was further defined as one in which a public agency:

1. Ordered a child to be placed out of state.

2. Placed a child out of state under its guardianship powers or some other legally authorized procedure.

3. Paid for an out-of-state placement which was arranged by parents or another agency.

4. Arranged an out-of-state placement for parents or another agency, but did not pay for the services the child was to receive.

Other types of agency involvement were accepted as a basis for including out-of-state placements in the study, but these involvements had to include some other combination of the key elements of ordering, arranging, and funding.

Public Agency

A public agency was defined, for the purposes of the study, as:

> Any agency whose policies and budget are directly controlled by governmental bodies.

Information was collected on all youth-serving agencies fitting this definition at the state and local (multicounty or regional, county, or subcounty) levels, and these agencies constitute the basic unit of analysis of the study.

An additional specification was that the survey focus on the above types of agencies which deliver services to youth in the areas of:

1. Child Welfare
2. Education
3. Juvenile Justice
4. Mental Health
5. Mental Retardation

All state-level administrative offices and all local agencies were contacted in these service areas. Agencies which are branch offices of state agencies were not considered to be "local" because of their direct ties and responsibility to state-level policies. As a rule, these branch offices were contacted only when the state office reported that they could not provide accurate information on out-of-state placements. Similarly, private agencies operating under purchase-of-service agreements were not contacted because their policies and procedures are not the direct responsibility of public authorities.

Agencies in the area of juvenile justice include state and local departments of juvenile corrections, juvenile probation and parole, and courts with juvenile jurisdiction. State departments of education, school districts, and vocational and technical school jurisdictions made up the contacts in the area of education. Mental health and mental retardation as well as child welfare contacts consisted of state and local departments of mental health and mental retardation, public welfare, and services to children.

Sampling Frame and Respondents

As indicated in the previous subsection, the sampling frame for the study consisted of all public agencies delivering child welfare, education, juvenile justice, mental health, and mental retardation services to youth. The objective of the study was to collect information from the universe of agencies that could be detected as filling the above public agency descriptions and delivering one or more of the five target services. Defining this universe was a sizable task in itself and presented some difficulties. Because of the organizational variety for deliverying services, it was sometimes a complex process to find the appropriate department, division, bureau, or office in state government, and it was an even more difficult problem in local government. In many cases, several telephone contacts were made to different agencies before the correct agency could be isolated, and this search was sometimes compounded by the frequent reorganizations which occur in these government agencies.

In general, the Public Welfare Directory, volume 39, prepared by the American Public Welfare Association provided an excellent initial source of contacts. This directory lists various officials in the states within most areas of service included in the survey. Staff also came to rely upon information supplied by state criminal justice planning agencies as well as an informal network of professional contacts. Typically, the initial contact was with the one to three interstate compact administrators in their respective state agencies who were asked to confirm information about their own pertinent service areas. The choice of respondents in these state agencies was guided by suggestions from public officials on who was the most knowledgeable individual on child placement practices. In most states, compact administrators and special education directors were the key respondents in agencies under the auspices of state government. Where states did not belong to a particular compact, a patient transfer administrator or similar person was sought to respond for their agency.

Defining the universe and identifying respondents in appropriate local agencies was considerably more problematic. It was first necessary to determine the intergovernmental organization of services. The survey calls for a clear differentiation between services under the auspices of state government and those which are administered and operated by local governments. Therefore, where agencies are operated by local governments independent of state agencies, the state level respondent was asked to provide the staff with a copy of a directory for local services. These directories were used to define the universe for local agencies, and when they were inaccurate or outdated, adjustments were made as data collection proceeded. Similar to the procedure for state agencies, local respondents were intended to be those individuals with the most knowledge of the agency's child placement practices. Typically, the local survey was conducted with persons in the following types of positions:

1. Child Welfare: directors, administrators for services to children.

2. Education: school district superintendents, special education directors.

3. Juvenile Justice: judges, chief probation officers, directors of court services.

4. Mental Health: directors, division administrators for services to children.

5. Mental Retardation: directors, division administrators for services to children.

Data Collection

Once it had been determined whether or not independent local agencies existed for a service in a state and these agencies had been identified, collection of local data in a comparable form to state data was ready to proceed. In

order to minimize the demands for information from the responsible public officials, the approach to data collection varied in some states.

Where a state agency had sole responsibility for service delivery, no local calls were warranted and data collection stopped for that service type with the state agency. Where local agencies delivered a service, all appropriate agencies under the auspices of local government were surveyed, except in two special cases. Each special case is described and the corresponding decision rule for data collection is described below.

Special Case #1

A state agency reports that the out-of-state placement of children by agencies under the auspices of local governments is prohibited by statute or administrative regulation. In other words, the first phase of data collection in a state agency determined that local agencies were not allowed to place children out of state.

Decision Rule: Survey a ten percent sample of the local agencies to verify the state-reported information. If any agency in the sample reports placements out of state, conduct a survey of all remaining agencies. The particular agencies included in the sample can be, in part, suggested by knowledgeable state and local officials. Special consideration is given to selecting some agencies located along state boundaries and agencies in major metropolitan as well as rural areas.

Special Case #2

A state agency reports that it can provide comprehensive and reliable information about the out-of-state placement practices of local agencies. Either because of reporting requirements, funding incentives, or strict compact compliance, a state official can report the total number of children placed out of state by each local agency that made such arrangements.

Decision Rule: Survey a ten percent sample of the local agencies to verify the state-reported information. If any agency in the sample reports placements at variance to the number indicated by a state agency and this variation cannot be resolved, conduct a survey of all remaining agencies. The sample is composed of agencies reporting placements to a state agency and some state-reported non-placing agencies that are representative of both rural and urban areas. Again, special consideration was given to selecting some agencies located along state boundaries.

There are two other circumstances which led to special approaches to data collection in several of the types of agencies contacted. In some cases, state agencies were unable to report information that was requested about their out-of-state placement practices. This situation generally occurred because decentralized offices of the state agency did not consistently report out-of-state placements, or because the data existed in records but was inaccessible. In the former case, a survey was undertaken of decentralized state offices to collect the missing information, and subsequently that information was treated as a single agency response. In the latter case, the necessary information was gathered by conducting a manual search of files kept on individual clients. The manual search was usually done by agency personnel, but in two cases was done by Academy staff who had been sent to the agency solely for that purpose.

The second important circumstance had to do with the ability to retrieve information about agencies under local auspices from district or regional representatives. In some states, for example, it was possible to determine the number of children placed out of state by school districts from regional special education directors. Similarly, directors of court services sometimes could provide data for a circuit court having different county judges. Although these circumstances were not common, when they occurred, questionnaires were completed for all agencies under the jurisdiction of the respondent.

In addition to the above two special circumstances, there are a few specific data collection issues which deserve mention.

Variations in Probation Services Delivery

The delivery of court services takes many forms and this sector constitutes one of the larger areas of ambiguity with regard to responsibility for and reporting about out-of-state placements. Essentially, three agencies or sectors may be involved in out-of-state placements emanating from juvenile justice agencies. These are the judge or court; the probation services attached to the court; or a third agency, usually child welfare, providing probation services to the court.

Where there were no probation services available from the court, the judge became the study's juvenile justice respondent. When probation services were provided by child welfare agencies, out-of-state placements arising from that service were attributed to child welfare, and the judge was asked to report upon placements which were not arranged through child welfare agencies. In cases where there were court-attached probation services, the chief probation officer was contacted by the study.

Initiation of Out-of-State Placement

Agencies delivering services to children vary in their authority or inclination to engage in out-of-state placement. Where that authority or inclination to place children out of state is lacking, these agencies often engage in providing information and referral services to other agencies which handle such cases. Involvement in out-of-state placement was attributed to these agencies only when it was clear that they actually participated in the arranging of placements. Providing information about facilities in other states would not qualify, according to the study, as involvement, but making calls to a facility in another state to arrange for the reception of a child being placed by another agency or a court ordering another agency to place a child out of state was counted as a form of official participation in the placement process.

The specific approach to data collection in each agency in each state is discussed more completely in the state profiles included in Chapter 3. If sample surveys were conducted, or any special case existed in a particular state, the reasons for the approach and the survey outcome are discussed in the profile.

QUESTIONNAIRES

The survey was organized into four phases of data collection and each phase had a unique instrument for systematically gathering information. The questionnaires were subjected to a field test in April 1979 and the final forms that were subsequently used are included at the end of this appendix. The discussion which follows outlines the kind of information that was collected and the method of collection for each phase of the survey.

Phases of the Survey

Phase I--State Agencies

A telephone survey was conducted of all state agencies responsible for child welfare, education, juvenile justice, mental health, and mental retardation services. Appropriate individuals were queried for information necessary to answer these questions:

1. Did the particular state agency <u>place</u> children under its care and custody out of state?

2. Did the particular state agency fund or receive reports about placements out of state that were arranged by some other state agency or local agencies?

3. Did the particular state agency arrange for the placement of children out of state?

In the cases in which affirmative responses were received, interviewers determined the frequency of placements and the extent to which the knowledge of local practices was inclusive and accessible. This phase of the survey also involved a request for information about organizational structure, legislative interest in the topic, and the availability of directories for agencies under the auspices of local government.

Phase II--State Agencies

As the Phase I data collection was completed in a state agency, a mailed survey for Phase II was initiated. Basically, this instrument was designed to gather the following information:

1. The number and types of children placed out of state by certain kinds of placement arrangements.

2. Corresponding costs and funding sources for out-of-state placements.

3. Types of out-of-state facilities receiving the children.

4. Destinations (i.e., receiving states or counties) of children placed out of state.

5. Policy information relating to the types of regulation and monitoring that are implemented by the particular state agency.

Phase I--Local Agencies

A telephone survey was conducted of all agencies under the auspices of local government that were responsible for child welfare, education, juvenile justice, mental health, and mental retardation services. The respondents in these agencies were asked:

1. If the particular agency was involved in any way with placing children out of state.

2. If not, they were asked to describe the reasons.

3. If they had placed children out of state, information about the number and types of children was requested, as well as the extent of interagency cooperation in the arrangement of the placements.

Phase II--Local Agencies

If at the time of responding to the Phase I survey more than four out-of-state placements were reported, additional information was requested as a Phase II survey. The data collected in Phase II is fairly comparable to the Phase II effort in state agencies. The information relates to the following listing:

1. Verifications about the types of out-of-state placement arrangements made and the utilization of interstate compacts.

2. Costs and funding sources for out-of-state placements.

3. Types of facilities receiving the children.

4. Destinations of children placed out of state and the number of children sent there.

5. Monitoring practices for out-of-state placements.

If, upon telephone contact, an agency respondent expressed a willingness to participate only if the survey was conducted by mail, a questionnaire was forwarded along with a letter defining the information requested.

Data Collectors and Training

Phases I and II of state agency data collection were done entirely by the Academy staff. Some or all of Phases I and II of local data collection was subcontracted to a variety of groups in 24 states.[3] Remaining local data collection was done by study staff. These subcontractors and the scope of their work on the survey are named and described in the state profiles given in Chapter 3. Usually, they were voluntary organizations or small consulting firms familiar with the state and interested in the issue.

Most of these groups had conducted surveys in previous work, but in order to safeguard the quality and comparability of the information collected, specialized training was given to all interviewers. In most cases, a training team traveled to the state where the subcontractor was to collect data and conducted one-day intensive seminars. The training consisted of four stages of verbal and written instruction covering:

1. State-specific information related to the laws, organizational structures, and placement practices of the agencies which was gathered in the earlier stages of the research.

2. Questionnaires and directories of agencies to be surveyed.

3. An overview of survey techniques and a discussion of how these techniques were related to the work the group would be doing.

4. Procedures for maintaining progress and handling difficult situations.

Written material was covered in the training sessions which consisted of a synopsis sheet of key definitions and methodological concerns, a Phone Power Program on telephone interviewing techniques which was specifically prepared for the study staff by Ohio Bell Telephone Company, and a descriptive narrative of state- and agency-specific information. Ohio Bell Telephone Company's input into this portion of the study was given without charge and added useful information to the training package.

Time Period

The survey of both state and local agencies took place between March 1979 and January 1980. The information collected represents the year 1978, as defined for recordkeeping purposes by the particular agencies. Considering the various reporting periods, the survey represents the period from April 1977 to August 1979. This range occurs because in some cases it represents the 1978 school year (which can begin in September 1978 and end in August 1979), in others the 1978 calendar year (January 1978 through December 1978), and in others the 1978 fiscal year. This latter reporting period can begin as early as April 1, 1977, or as late as October 1, 1977, and end as early as March 31, 1978, or as late as September 30, 1978.

Quality Control

Recognizing the importance of quality control of the data collected by both staff and subcontracting interviewers, some staff were assigned to monitor and keep in contact with subcontractors, and other staff were given responsibility for closely supervising data collectors employed by the Academy.

Methods of assuring that reliable data was being submitted varied, depending on the amount of control the staff had over the collection process. The three approaches to quality control are described below, accompanied by comments about the findings from the staff's monitoring activities.

State Agency Survey

The state agency survey was conducted entirely at the Academy after key state youth service administrative personnel had been identified in earlier interviews. Respondents were usually interstate compact administrators or

correspondents, special education directors, or child placement specialists employed by state agencies. Numerous telephone contacts were made with these respondents by the staff, and a continuing and cooperative exchange often developed.

As data was received in the mail, every questionnaire was carefully reviewed for completion and internal consistency. Each respondent was recontacted to assure that they understood the thrust of the study in responding to the questionnaire and that only the appropriate type of information was reported.

Local Agency Survey

Data collectors employed by the Academy worked under close supervision of the project staff and continually had a staff person available to answer their questions. Weekly spot checks were done on their work, and if these checks raised any questions about the reliability of their information, the questionnaires would be turned back to the data collector for resurveying, and further checks would be done of their work.

Spot checks consisted of randomly selecting five percent of an interviewer's weekly work and calling back to verify the information in the interview schedule. Questioning started with key pieces of information in the interview schedule and proceeded through the entire questionnaire if any doubt was raised about the reliability of the findings.

Fortunately, the Academy had engaged a conscientious group of professionals for temporary employment and reliability checks of their work were consistently satisfactory.

Because subcontracting data collectors were not accessible to staff supervision, it was felt that more stringent reliability checks should be set for these groups than for persons working at the Academy. Accordingly, a similar procedure of callback and reinterview was used as for work done at the Academy, but a larger number of questionnaires were recalled. Sampling rules were adjusted for subcontractor's data such that ten percent or 20 questionnaires, whichever was greater, was selected to be recalled from each submission of data. An additional rule for the selection of questionnaires to be recalled assured that each data collector whose work was included in a submission by the subcontractor was represented in the sample which was drawn.

Submissions of data were generally received on a weekly basis so that there was an on-going monitoring of work being done in the field. Approximately 500 reliability calls were made for the 90 submissions received from subcontractors. A record of the questionnaires which were checked and the outcome of the checks were sent to the subcontractors to keep them informed on the quality of work which was being done by their organizations.

Occasionally, discrepancies between the data on questionnaires and the reports of the respondents to staff were discovered. A finding of this type led to one of two alternate procedures. In one case, the staff recalled all work done by interviewers which was of questionable reliability. In another situation, a subcontractor took back all work by an interviewer which had proven to be less than reliable and readministered the questionnaires.

These were the only cases where such measures had to be taken and, because of corrective measures, the staff is confident that the data accurately represents the reports of persons who were identified as appropriate respondents for the study.

Another issue in data quality control deserves mention and this has to do with the completion and internal consistency of otherwise reliable data. Every questionnaire was read and checked to assure that each appropriate item was completed and that the responses among items in a questionnaire were internally consistent. An internal inconsistency would occur if an agency reported arranging and funding court-ordered placements, but responded with a zero when asked how many court-ordered placements were made in 1978. Problems of this type were far more frequent than those of reliability and were the cause of many questionnaires being returned for completion or revision through reinterview. A similar review was done for data collected at the Academy, and these questionnaires were likewise returned to the data collector for correction.

In general, subcontractors were most cooperative in correcting errors detected in reviews and reliability checks made at the Academy. As a group, they performed in a professional, conscientious, and rigorous manner, sometimes far exceeding the requisites of their agreement with the Academy. They are commended for their excellent performance in the course of what was often a difficult study to accomplish.

Field Experiences

As a final note about the survey and data collection, a variety of field experiences has been drawn together in the course of the study, partly as a commentary about the difficulties in accessing information about interstate placement from public agencies, and partly to prepare studies to follow for the kinds of problems they are apt to have. The following discussion has not been designed to be an exhaustive treatment of field experiences, but intends to highlight those things which particularly facilitated or inhibited data collection.

State Agency Survey

Throughout the survey of both state and local agencies, compact administrators and correspondents provided valuable information and service to the study. As a group, they not only invested a substantial amount of time and energy in

securing state agency data, but they also provided very helpful guidance and referrals in the collection of data from other state and local agencies.

Collection of data from the state agencies, however, was not without its problems, and these were more a function of information collection and storage procedures than a function of the effort of the respondents. Although many state agencies were prompt in responding to the study, it took over ten months of active pursuit to obtain data included in the results for state agencies. Delay in responses was often due to inadequate information systems causing already beleaguered clerical staff to be used to retrieve the information by hand. In several cases, lack of informational and personnel resources caused the respondents themselves to undertake a manual search of case records. In addition, the study staff was obliged to do a manual search of records in two state agencies because of inaccessibility of data and scarce staff resources.

A further problem in state data collection exists in the fact that once an agency did respond with data, it was not uncommon for some or most of the key pieces of information to be omitted because the agency simply did not know the answers. An especially common example of this type of omission occurred in the reporting of the number of children placed, the state of destinations of these children, and expenditures for out-of-state placement.

This should not be read to imply that the state agencies were grossly negligent in their monitoring practices. Such a claim might only be made in very few cases. What is implied, though, is that state agencies are frequently unable to respond in a timely and accurate way to inquiries about interstate placement practices. There is a great deal of variance in the quality of information that state agencies have about their own behavior with regard to interstate placements, ranging from immediate computerized retrieval to a complete absence of recordkeeping about placement rates and destinations. If a placing agency has the intention of monitoring and taking responsibility for the welfare of children, a systematic and uniform system should be in place to collect and maintain current data on children who have been placed in other states.

A further impediment to state data collection had to do with the processing of extensive authorizations for release of information. This occurred only rarely, and does not necessarily reflect on the accessibility of information but more on the agency's efforts to provide selective access.

Local Agency Survey

Respondents in the local agency survey were equally as cooperative as those in the state agency survey. Only rarely did a respondent refuse to participate in the study, and this is a credit to agency administrative and program personnel nationwide. Out-of-state placement information was gathered from over 19,000 agencies and, in the aggregate, the respondents invested an enormous amount of time to the successful completion of the study. Again, problems in data collection in the local agency survey were more due to inadequate information systems within the agency rather than to respondents' disinclination to report. It was a very common occurrence for a respondent to ask to be called back after they had taken the time to consult other staff and case records so

that accurate and complete information could be given. A mailed questionnaire was requested by some agencies in order to aid in their efforts to provide complete information as well. Follow-up telephone calls were conducted by study staff to assure the return of these questionnaires.

When problems in reporting persisted, despite a respondent's efforts, it was usually due to fragmented, partial, or missing information on out-of-state placements in an agency. This was sometimes the case when there were multiple sources of out-of-state placements in a child welfare agency because of a division of types of services. Similarly, juvenile justice agencies sometimes place children out of state from both probation and from the court. In this situation, probation could usually report its placements with accuracy, but they could not say how many children had been placed directly from the court, reporting only that placements had occurred. These so-called "direct" placements (by a judge without the involvement of any other agency) were often the most difficult to report because they were often to relatives in other states, or other facilities which were free, and the absence of a fiscal "trail" made detection a problem.

Partial information sometimes occurred because of incomplete recordkeeping. In some child welfare agencies, good records were kept by adoption workers in their area, but recordkeeping in the foster care section was inadequate for the purposes of reporting out-of-state placement incidence, the destinations of children placed out of state, and other relevant information.

In addition, all agency types sometimes had difficulty in reporting all placements, only being able to account for some portion of those children placed in other states.

Completely missing information was a rare occurrence, and when this happened, it was usually due to some organizational issue. In several states, recent reorganization of a service agency prevented the study from immediately contacting a knowledgeable respondent. Searching was required to find the person responsible for out-of-state placements previous to reorganization. When, on rare occasion, this person could not be tracked down, it had to be assumed that someone had the information but that it could not be accessed for research, planning, or monitoring. Another situation where information was missing occurred when local agencies reported out-of-state placements to a state agency but did not keep the information subsequent to reporting. In this case, it became difficult to determine the adequacy of state agency information and, from the local agency's point of view, monitoring of placements and feedback about placement rates and practices is obviated. As with state agencies, local agencies had the most difficulty in reporting placement rates, destinations, and costs.

Several factors were discovered which seem to be associated with good recordkeeping in local agencies. State agency participation in the funding of placements is strongly associated with a local agency's ability to provide information on its out-of-state placement practices. This is especially true for the area of education, where there was seldom any difficulty in accessing information. A strong emphasis on interstate compact use in state agencies also seems to improve the quality of information at the local level. Finally, one of the strongest single factors that seems to improve recordkeeping and monitoring in

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both state and local agencies is a heightened visibility of the interstate placement issue, either through media or advocacy activity or due to intervention by one of the major branches of state government.

INTERVIEWER

DATE

INTERSTATE PLACEMENT
PHASE I
TELEPHONE SURVEY TO STATE DEPARTMENTS OF EDUCATION,
MENTAL HEALTH, MENTAL RETARDATION, CHILD WELFARE AND JUVENILE JUSTICE

STATE

AGENCY

AGENCY TYPE:

( ) Education
( ) Mental Health
( ) Mental Retardation
( ) Juvenile Justice
( ) Child Welfare
( ) Mental Health and Retardation

CONTACT PERSON

TITLE

ADDRESS

ZIP CODE

( )
PHONE

INSTRUCTIONS TO INTERVIEWER:

Directions accompanying each question are placed in UPPER CASE LETTERS in parentheses. All other sentences are to be read to the respondent over the phone. A check ( ) and/or a brief answer in the space provided is required for completion of each question. Please complete all of the questions unless otherwise noted, recording the responses in pencil.

1. Are there any reports, articles, news clippings or other documents written since 1970, on the interstate placement of children? Again, by interstate placement of children, I mean the placement of all children aged eighteen or under in residential settings outside of their home state.
(RECORD THE TYPE OF INFORMATION AVAILABLE AND LIST TITLES BELOW)

( ) Yes

( ) No

( ) Don't Know

	TITLE:	WILL SEND:	CAN OBTAIN FROM:
1.	_____	( )	_____
	_____		_____
2.	_____	( )	_____
	_____		_____
3.	_____	( )	_____
	_____		_____

2. Is your agency or are local (TYPE OF AGENCY/SCHOOL DISTRICTS) subject to any statutory, administrative or judicial restrictions on placing children in other states or countries?

( ) Yes (IF "YES" ASK) "Would you briefly describe these restrictions for me?" (RECORD BELOW)

( ) No

( ) Don't Know

_____

_____

_____

_____

3. Does your agency administer programs, allocate funds or assist local (TYPE OF AGENCY/SCHOOL DISTRICTS) to place children from (STATE) in other states or countries?

( ) Yes

( ) No

( ) Don't Know

4. Does your agency collect and maintain statewide information on the number of children placed out of state by local (TYPE OF AGENCY/SCHOOL DISTRICTS)?

( ) Yes

( ) No

( ) Don't Know

(IF "YES", ASK) "Who at your agency has this information?"
(RECORD BELOW)

_____

_____

5. Could these same local (TYPE OF AGENCY/SCHOOL DISTRICTS) place children out of state without reporting the information to your agency?

( ) Yes

( ) No

( ) Don't Know

6. We will also be contacting local agencies which may place children out of state. What types of job titles should we be looking for? (RECORD JOB TITLE BELOW)

JOB TITLE:

_____

_____

_____

( ) Cannot generalize

( ) Don't Know

7. At this point, is there anything else that we should know about this issue? (IF THE RESPONDENT NEEDS ADDITIONAL INFORMATION, ADD:) "Like, for example, has the interstate placement of children become an issue in your state?"

( ) Yes Please describe (RECORD BELOW)

( ) No

_____

_____

8. Based on what you've said, there are a couple of things I'd like to ask you to send me. Is there an organizational chart showing how (TYPE OF) services are delivered at the state and local levels?

( ) Yes

( ) No, does not exist

( ) No, but can obtain from (RECORD NAME AND PHONE)

_____

NAME PHONE

( ) No, but can briefly describe over the phone (RECORD BRIEFLY)

_____

_____

_____

9. (ASK ONLY IF THE STATE AGENCY DOES NOT COLLECT COMPLETE STATEWIDE PLACEMENT INFORMATION) Finally, can you also send us a statewide directory of the local (TYPE OF AGENCY/SCHOOL DISTRICTS) in (STATE) which may place children out of state?

( ) Yes

( ) No, does not exist

( ) No, but can obtain from (RECORD NAME AND PHONE)

_____

NAME PHONE

I want to thank you for all of your time and assistance. (IF THE RESPONDENT IS SENDING US INFORMATION, GIVE HIM/HER THE ADDRESS OF THE ACADEMY.)

To avoid taking up any more of your time over the phone, within the next few days we will be sending you a follow-up questionnaire for more specific information on the interstate placement of children. Thank you very much for your time and your assistance in our research. (HOWEVER, IF THE RESPONDENT INDICATES THAT HE OR SHE MAY HAVE THE FACTS AVAILABLE RIGHT THERE, SWITCH TO MAIL INTERVIEW AND ASK QUESTIONS OVER THE PHONE.)

(GENERAL COMMENTS)

INTERSTATE PLACEMENT

PHASE II - MAIL SURVEY
STATE EDUCATION, MENTAL HEALTH, MENTAL RETARDATION,
CHILD WELFARE AND JUVENILE CORRECTIONS AGENCIES

PLEASE VERIFY THE FOLLOWING INFORMATION AND MAKE THE NECESSARY CORRECTIONS:

_____
STATE

_____
AGENCY

AGENCY TYPE:

( ) EDUCATION
( ) MENTAL HEALTH
( ) MENTAL RETARDATION
( ) JUVENILE JUSTICE
( ) CHILD WELFARE
( ) MENTAL HEALTH AND MENTAL RETARDATION
( ) OTHER; SPECIFY _____

_____
CONTACT PERSON

_____
TITLE

_____
ADDRESS

_____
ZIP CODE

( )
_____
PHONE

INSTRUCTIONS

Please respond to each question with a check ( ) in the appropriate parentheses; numerical or cost data when requested; and/or a brief description where needed. If exact information is unavailable, or simply not recorded in the manner for which it is requested, we prefer that you give us a reasoned estimate than no answer at all. Label all such estimates as "est." However, if the information is simply unavailable, please write "don't know."

We are defining interstate placement as the practice of placing any individual under the age of eighteen in residential treatment facilities, special schools, boarding schools, foster care or adoptive homes located in other states and countries.

Base all responses on your fiscal year 1978 and indicate the months included in that period in your state:
_____ to _____.

Please complete as soon as possible and return in the enclosed, self-addressed, stamped envelope.

1. We are interested in the different ways in which interstate placements can be arranged. Please check below every type of placement in which your agency has been involved and the corresponding numbers of children placed during 1978.

a. Where your agency arranged and funded the placement of a child in another state or country.

( ) Yes Number of children _____

( ) No

b. Where the out-of-state placement of a child was arranged locally but funded, either totally or partially, with state revenue.

( ) Yes Number of children _____

( ) No

c. Where the out-of-state placement was arranged and funded by a local agency and reported to your agency.

( ) Yes Number of children _____

( ) No

1. d. Where a court ordered your agency to place a child out of state and your agency arranged and paid for the placement.

( ) Yes Number of children _____
( ) No

e. Where your agency helped arrange an interstate placement on behalf of the child's parents, a private organization, or another public agency--even though you were not required by law or did not pay for the placement.

( ) Yes Number of children _____
( ) No

f. Were there any other types of out-of-state placements involving your agency?

( ) Yes Number of children _____
( ) No

If Yes, please describe the type of placement_____
_____
_____

2. In <u>total</u>, how many individual children were placed out of state with your agency's assistance or knowledge in 1978?

Number _____ If None, skip to Question 10.

3. Considering the total number of children placed out of state with your agency's assistance or knowledge (Answer to Question 2.), how many were placed through an Interstate Compact or other reciprocity agreement?

Number of children _____

4. In general, what types of children did you place in other states? (Check all that apply)

( ) Physically handicapped children?
( ) Mentally handicapped children?
( ) Unruly or disruptive children?
( ) Truants?
( ) Juvenile delinquents?
( ) Developmentally disabled children?
( ) Emotionally disturbed children?
( ) Adopted children?
( ) Foster children?
( ) Pregnant girls?
( ) Children with drug or alcohol problems?
( ) Battered, abandoned or neglected children?
( ) Other; please specify_____
_____

5. In what states or counties were children from your state placed? Please fill in the number of children placed in 1978 after each applicable state or country.

State	Number of Placements	State	Number of Placements
Alabama	( )	Montana	( )
Alaska	( )	Nebraska	( )
Arizona	( )	Nevada	( )
Arkansas	( )	New Hampshire	( )
California	( )	New Jersey	( )
Colorado	( )	New Mexico	( )
Connecticut	( )	New York	( )
Delaware	( )	No. Carolina	( )
Florida	( )	North Dakota	( )
Georgia	( )	Ohio	( )
Hawaii	( )	Oklahoma	( )
Idaho	( )	Oregon	( )
Illinois	( )	Pennsylvania	( )
Indiana	( )	Rhode Island	( )
Iowa	( )	So. Carolina	( )
Kansas	( )	South Dakota	( )
Kentucky	( )	Tennessee	( )
Louisiana	( )	Texas	( )
Maine	( )	Utah	( )
Maryland	( )	Vermont	( )
Massachusetts	( )	Virginia	( )
Michigan	( )	Washington	( )
Minnesota	( )	W. Virginia	( )
Mississippi	( )	Wisconsin	( )
Missouri	( )	Wyoming	( )

Countries	Number of Placements	Countries	Number of Placements
_____	( )	_____	( )
_____	( )	_____	( )
_____	( )	_____	( )

( ) DON'T KNOW

6. Considering all children placed out of state with your agency's assistance, in what types of facilities or settings were they placed?

(PLEASE CHECK ALL THAT APPLY)

_____ a. Residential treatment or child-care facilities
_____ b. Psychiatric hospitals
_____ c. Boarding or military schools
_____ d. Foster homes
_____ e. Relatives' homes
_____ f. Adoptive homes
_____ g. Others, please specify _____
_____

7. Considering the types of facilities or settings checked above, which one was used most frequently?

(MARK THE LETTER CORRESPONDING TO THE TYPE OF FACILITY OR SETTING IN THE SPACE PROVIDED BELOW.)

_____

8. How much did your agency spend on interstate placements in 1978, according to each revenue source?

$ _____ in state funds

$ _____ in federal funds

$ _____ in local funds

$ _____ in other funds; please specify the revenue source: _____

9. Typically, how long did a child reside out of state once a placement was made by your agency?

_____ months

10. We are also interested in whether children from other states or countries were placed in residential facilities within your state.

A. How many out-of-state children were placed in your state during 1978?

Number _____

B. Of the above number, how many were arranged and received through an Interstate Compact or some other reciprocity agreement?

Number _____

11. Does your department regulate the interstate placement of children?

( ) Yes

( ) No

A. How does your department regulate the interstate placement of children?

(Check all that apply)

( ) By administering an interstate compact
( ) By licensing public receiving facilities
( ) By licensing private receiving facilities
( ) By monitoring receiving facilities in your state through periodic on-site visits
( ) By monitoring receiving facilities in other states through periodic on-site visits
( ) Other forms of regulation; please specify_____

_____

12. Is your agency subject to any statutory, administrative or judicial restrictions on the interstate placement of children?

Statutory restrictions	( ) Yes	( ) No
Administrative restrictions	( ) Yes	( ) No
Judicial restrictions	( ) Yes	( ) No

If Yes to any of the above, please describe what these restrictions are:

_____

_____

13. Are local agencies subject to any statutory, administrative or judicial restrictions on the interstate placement of children?

Statutory restrictions	( ) Yes	( ) No
Administrative restrictions	( ) Yes	( ) No
Judicial restrictions	( ) Yes	( ) No

If Yes to any of the above, please describe what these restrictions are:

_____

_____

14. Is there anything else about this issue in your state which we should know? We would, for example, be particularly interested in whether you anticipate any changes in placement practices because of new federal requirements, revisions in state law or any pending litigation.

( ) Yes

( ) No

If Yes, please describe briefly: _____

_____

_____

_____

_____

15. Would you like to receive a copy of our summary report on the interstate placement of children?

( ) Yes

( ) No

Again, thank you for your time and considerable assistance in completing this questionnaire!

The Academy for Contemporary Problems
Major Issues in Juvenile Justice Information
and Training
1501 Neil Avenue
Columbus, Ohio 43201

TOLL FREE NUMBER: 1-800-848-6570

FOR DATA COLLECTOR:

INTERVIEWER_____

ORGANIZATION_____

DATE_____

INTERSTATE PLACEMENT
PHASES I & II TELEPHONE SURVEY
LOCAL AGENCIES

STATE_____

COUNTY(IES) OF JURISDICTION_____

AGENCY TYPE:

( ) School District/Local Education Agency
( ) Mental Health
( ) Mental Retardation
( ) Mental Health & Mental Retardation
( ) Juvenile Corrections & Parole
( ) Juvenile Probation
( ) Child Welfare

RESPONDENT_____

TITLE_____

AGENCY_____

ADDRESS_____

_____

ZIP CODE

( )
_____
PHONE

INSTRUCTIONS TO DATA COLLECTOR:

Directions accompanying each question are placed in UPPER CASE LETTERS in parentheses. All other sentences are to be read to the respondent over the phone. A check ( ) and/or a brief answer in the space provided is required for completion of each question. Please complete all of the questions, unless otherwise noted, recording the responses in pencil. The following abbreviations may also be used:

DON'T KNOW (DK): means the information is available but that the respondent either has to look it up or is not the person with this information.
NOT AVAILABLE (NA): means that the respondent could not provide the data, because it is not collected or doesn't exist in this form.
ESTIMATE (EST): means that exact figures are not available and the answer given is estimated.

PHASE I

1. We are collecting information for the year 1978. Recognizing that states use different accounting systems, how does your agency define 1978 for placement purposes?

   ( ) January 1 - December 31
   ( ) July 1 - June 30
   ( ) Other_____ to _____
   month month

2. By INTERSTATE PLACEMENT OF CHILDREN, we mean when someone under the age of 18 from your state is sent, with your agency's involvement, to live away from home and out of state.

   Consider all placements in institutions, facilities, or foster or adoptive homes in other states or countries, but not placements with the child's parents and not simply the return of runaways.

   As I read from the following list, please tell me if any of these situations describe the ways in which your agency was involved in child placements:

   a. Did you arrange and fund, or get reimbursed for any court-ordered out-of-state placement? ( ) YES ( ) NO ( ) DK

   b. Did any court appoint your agency as custodian or guardian and you, in turn, placed a child in another state or foreign country? ( ) YES ( ) NO ( ) DK

   c. Did you use any interstate compact to arrange placements of children out of state? ( ) YES ( ) NO ( ) DK

   d. Did your agency help arrange an out-of-state placement for parents or guardians, private organizations like churches, or public agencies, even though you were not required to by law and did not pay for the placement? ( ) YES ( ) NO ( ) DK

   e. Did you make any other types of out-of-state placements involving children? ( ) YES ( ) NO ( ) DK

   (IF "YES") Please describe these other types:

(IF ANY OF THE ANSWERS TO QUESTION 2 were "YES", SKIP TO QUESTION 4)

* * * *

(IF ALL ANSWERS TO QUESTION 2 WERE "NO" OR "DON'T KNOW", ASK QUESTION 3, NEXT PAGE.)

3. Did your agency not arrange any out-of-state placements because: (OBTAIN AN ANSWER FOR EACH OF THE FIVE PARTS.)

a. Your agency lacked the statutory authority to place children out of state? ( ) YES ( ) NO ( ) DK

b. You were restricted by a court order, or other similar restrictions? ( ) YES ( ) NO ( ) DK

(IF "YES") What restrictions?

_____

_____

_____

c. Your agency lacked funds for placing children out of state? ( ) YES ( ) NO ( ) DK

d. Sufficient services were available in state? ( ) YES ( ) NO ( ) DK

e. There were other reasons why you didn't place children out of state? ( ) YES ( ) NO ( ) DK

(IF "YES") What reasons?

_____

_____

_____

(THANK THE RESPONDENT AND END QUESTIONING HERE.)

* * *

4. In general, what types of children did you place in other states or countries during 1978? Did you place: (CHECK ALL THAT APPLY TO ANY PLACEMENT)

( ) Physically handicapped children?
( ) Mentally retarded or developmentally disabled children?
( ) Unruly or disruptive children?
( ) Truants?
( ) Juvenile delinquents?
( ) Mentally ill or emotionally disturbed children?
( ) Pregnant girls?
( ) Children with drug or alcohol problems?
( ) Battered, abandoned or neglected children?
( ) Adoptive children?
( ) Children with special education needs?
( ) Children with multiple handicaps?
( ) Others; please describe briefly: (RECORD ANSWER BELOW:)

_____

_____

5. How many children did your agency help to place out of state in 1978? This number should include any involvement by your agency, including initiating, arranging, funding or otherwise participating in the out-of-state placement. (RECORD TOTAL NUMBER.)

_____ Children

6. Did you work with any other public agencies or the courts in your state in making these out-of-state placements?

( ) YES ⟶ How many placements involved other agencies and which agencies did you work with?

( ) NO _____ Placements

( ) DON'T KNOW List names of agencies:

_____
_____
_____
_____

(IF THE RESPONSE TO QUESTION 5 WAS "FOUR OR LESS," THANK RESPONDENT AND END INTERVIEW.)

* * *

(IF THE RESPONSE TO QUESTION 5 WAS "FIVE OR MORE, " CONTINUE QUESTIONS IN PHASE II, NEXT PAGE.)

7. How many out-of-state placements arranged and funded by your agency in 1978 were court ordered?

_____ Placements

( ) DK

( ) NA

8. How many out-of-state placements involving your agency in 1978 were arranged through:

a. The Interstate Compact on the Placement of Children?

_____Placements

( ) DK

( ) NA

b. The Interstate Compact on Juveniles?

_____Placements

( ) DK

( ) NA

c. The Interstate Compact on Mental Health?

_____Placements

( ) DK

( ) NA

d. Any other interstate compacts or agreements not mentioned?

SPECIFY_____

_____

_____

_____

9. We are interested in the particular states or foreign countries where your agency placed children in 1978. Can you tell me the number of children placed in each state or country. (RECORD THE NUMBER OF PLACEMENTS AS THEY MENTION THE STATE OR COUNTRY. CHECK "NA" AT BOTTOM OF PAGE IF NUMBERS ARE NOT AVAILABLE. MARK "EST" FOR EACH ESTIMATE.)

State	Number of Placements	State	Number of Placements
Alabama	( )	Montana	( )
Alaska	( )	Nebraska	( )
Arizona	( )	Nevada	( )
Arkansas	( )	New Hampshire	( )
California	( )	New Jersey	( )
Colorado	( )	New Mexico	( )
Connecticut	( )	New York	( )
Delaware	( )	No. Carolina	( )
Florida	( )	North Dakota	( )
Georgia	( )	Ohio	( )
Hawaii	( )	Oklahoma	( )
Idaho	( )	Oregon	( )
Illinois	( )	Pennsylvania	( )
Indiana	( )	Rhode Island	( )
Iowa	( )	So. Carolina	( )
Kansas	( )	South Dakota	( )
Kentucky	( )	Tennessee	( )
Louisiana	( )	Texas	( )
Maine	( )	Utah	( )
Maryland	( )	Vermont	( )
Massachusetts	( )	Virginia	( )
Michigan	( )	Washington	( )
Minnesota	( )	W. Virginia	( )
Mississippi	( )	Wisconsin	( )
Missouri	( )	Washington, D.C.	( )

Foreign Countries	Number of Placements	Foreign Countries	Number of Placements
_____	( )	_____	( )
_____	( )	_____	( )
_____	( )	_____	( )

( ) NOT AVAILABLE

10. We are also interested in the types of out-of-state facilities or settings where children were placed, with your agency's assistance. In 1978, did you place any children in:

a. Residential treatment or child-care facilities?	( ) YES	( ) NO	( ) DK
b. Psychiatric hospitals?	( ) YES	( ) NO	( ) DK
c. Boarding or military schools?	( ) YES	( ) NO	( ) DK
d. Foster homes?	( ) YES	( ) NO	( ) DK
e. Group homes?	( ) YES	( ) NO	( ) DK
f. Relatives' homes (excluding parents)?	( ) YES	( ) NO	( ) DK
g. Adoptive homes?	( ) YES	( ) NO	( ) DK
h. Others?; please specify	( ) YES	( ) NO	( ) DK

_____

_____

_____

11. Considering the categories in the previous question, which type of facility did you use most frequently? (CHECK ONLY ONE CATEGORY.)

( ) a. Residential treatment or child-care facilities
( ) b. Psychiatric hospitals
( ) c. Boarding or military schools
( ) d. Foster homes
( ) e. Group homes
( ) f. Relatives' homes (excluding parents' homes)
( ) g. Adoptive homes
( ) h. Others

12. How much money, in total, did your agency spend on interstate placements in 1978? Please estimate if actual figures are not available. (MARK "EST" IF ESTIMATED)

$_____Total

( ) DON'T KNOW

13. Typically, how many months did a child reside out of state after a placement was made by your agency? (MARK "EST" IF ESTIMATED.)

_____Months Average in 1978

( ) DON'T KNOW

14. In your opinion, why did your agency make out-of-state placements? Is it because:

a. Some facilities were located closer to some children's home residences, despite being across state lines? ( ) YES ( ) NO

b. Your agency had previous success with a particular facility or program in another state? ( ) YES ( ) NO

c. Your state lacked comparable services which were needed by particular children? ( ) YES ( ) NO

d. It is standard procedure to use out-of-state facilities for particular types of children? ( ) YES ( ) NO

e Certain children failed to adapt to residential programs within your state? ( ) YES ( ) NO

f. Out-of-state placements are alternatives to public institutional placements within your state? ( ) YES ( ) NO

g. To live with relatives? ( ) YES ( ) NO

h. There were other reasons why your agency placed children out of state? PLEASE DESCRIBE BRIEFLY: ( ) YES ( ) NO

_____

_____

_____

15. Does your agency:

a. Require written periodic progress reports on children placed out of state?

( ) YES; How often? ( ) Quarterly
( ) Semiannually
( ) NO ( ) Annually
( ) Other (RECORD LENGTH OF TIME)_____
( ) DK

b. Visit out-of-state facilities and/or children after placements occur?

( ) YES; How often? ( ) Quarterly
( ) Semiannually
( ) NO ( ) Annually
( ) Other (RECORD LENGTH OF TIME)_____
( ) DK

c. Call the facility staff and/or children's guardians, in order to monitor their progress?

( ) YES; How often? ( ) Quarterly
( ) Semiannually
( ) NO ( ) Annually
( ) Other (RECORD LENGTH OF TIME)_____
( ) DK

d. Monitor out-of-state placements in other ways? Please specify

( ) YES; How often? ( ) Quarterly
( ) Semiannually
( ) NO ( ) Annually
( ) Other (RECORD LENGTH OF TIME)_____
( ) DK

16. Is there anything else about the interstate placement issue in your state which we should know?

( ) YES; If "YES", please describe briefly:

( ) NO _____

_____

_____

(THANK THE RESPONDENT AND END INTERVIEW.)

* * *

(MARK COMMENTS ON BACK)

FOOTNOTES

1. Case Study States are: Alabama, California, Louisiana, Michigan, New Jersey, New York, and Virginia.

2. Council of State Governments: The Interstate Placement of Children: A Preliminary Report (Lexington, Ky.: 1978).

3. Alabama, Arkansas, California, Colorado, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Tennessee, Texas, Wisconsin, and Wyoming.

APPENDIX B

INTERSTATE COMPACT ON JUVENILES AND RELATED STATUTES

Ala. Code, Secs. 44-2-1 thru 44-2-7 (1965)
Alaska Stat., Secs. 47.15.010 thru 47.15.080 (1960)
Ariz. Rev. Stat. Ann., Secs. 8-361 thru 8-367 (1961)
Ark. Stat. Ann., Secs. 45-301 thru 45-307 (1961)
Calif. Welf. and Instns. Code, Ch. 4, Secs. 1300 thru 1308 (1955)
Colo. Rev. Stat. Ann., Secs. 24-60-701 thru 24-60-708 (1957)
Conn. Gen. Stat. Ann., Secs. 17-75 thru 17-81 (1957)
Del. Code Ann., Title 31, Secs. 5201 thru 5228 (1953)
Fla. Stat. Ann., Secs. 39.25 thru 39.31 (1957)
Ga. Code Ann., Secs. 99-3401 thru 99-3407 (1972)
Hawaii Rev. Stat., Secs. 582-1 thru 582-8 (1955)
Idaho Code, Ch. 19, Secs. 16-1901 thru 16-1910 (1961)
Ill. Rev. Stat., Ch. 23, Secs. 2591 thru 2595 (1973)
Ind. Code, Secs. 31-5-3-1 thru 31-5-3-9 (1957)
Iowa Code Ann., Secs. 231.14 thru 231.15 (1961)
Kans. Stat. Ann., Secs. 38-1001 thru 38-1007 (1965)
Ky. Rev. Stat. Ann., Secs. 208.600 thru 208.990 (1960)
La. Rev. Stat. Ann., Secs. 46.1451 thru 46.1458 (1958)
Me. Rev. Stat. Ann., Title 34, Ch. 9, Secs. 181 thru 195 (1955)
Md. Ann. Code, Art. 41, Secs. 387 thru 395 (1966)
Mass. Gen. Laws Ann., Ch. 119 (App.), Secs. 1-1 thru 1-7 (1955)
Mich. Stat. Ann., Secs. 4.146(1) thru 4.146(6) (1958)
Minn. Stat. Ann., Vol. 17, Secs. 260.51 thru 260.57 (1957)
Miss. Code Ann., Secs. 43-25-1 thru 43-25-17 (1958)
Mo. Rev. Stat., Secs. 210.570 thru 210.600 (1955)
Mont. Rev. Codes Ann., Secs. 10-1001 thru 10-1006 (1967)
Neb. Rev. Stat., Vol. 3, Secs. 43-1001 thru 43-1009 (1963)
Nev. Rev. Stat., Secs. 214.010 thru 214.060 (1957)
N.H. Rev. Stat. Ann., Secs. 169-A:1 thru 169-A:9 (1957)
N.J. Rev. Stat., Secs. 9:23-1 thru 9:23-4 (1955)
N.M. Stat. Ann., Secs. 13-16-1 thru 13-16-8 (1973)
N.Y. Unconsol. Laws, Book 65, Part I, Secs. 1801 thru 1806 (1955)
N.C. Gen. Stat., Secs. 110-58 thru 110-64 (1965)
N.D. Cent. Code, Secs. 27-22-01 thru 27-22-06 (1969)
Ohio Rev. Code Ann., Secs. 2151.56 thru 2151.61 (1957)
Okla. Stat. Ann., Title 10, Secs. 531 thru 537 (1967)
Ore. Rev. Stat., Secs. 417.010 thru 417.080 (1959)
Pa. Stat. Ann., Title 62, Secs. 731 thru 735 (1956)
R.I. Gen. Laws Ann., Secs. 14-6-1 thru 14-6-11 (1957)
S.C. Code Ann., Sec. 55-65 (1970)
S.D. Compiled Laws Ann., Secs. 26-12-1 thru 26-12-13 (1961)
Tenn. Code Ann., Secs. 37-801 thru 37-806 (1955)
Tex. Codes Ann., Fam. Code, Secs. 25.01 thru 25.09 (1965)
Utah Code Ann., Secs. 55-12-1 thru 55-12-6 (1955)
Vt. Stat. Ann., Title 33, Secs. 551 thru 575 (1968)
Va. Code Ann., Secs. 16.1-323 thru 16.1-329 (1956)

Wash. Rev. Code Ann., Secs. 13.24.010 thru 13.24.900 (1955)
W.Va. Code Ann., Secs., 49-8-1 thru 49-8-7 (1963)
Wis. Stat. Ann., Secs. 48.991 thru 48.997 (1957)
Wyo. Stat. Ann., Sec. 14-5-101 (1957)
D.C. Code Ann., Secs. 32-1101 thru 32-1106 (1970)

INTERSTATE COMPACT ON JUVENILES

The contracting states solemnly agree:

ARTICLE I -- Findings and Purposes

That juveniles who are not under proper supervision and control, or who have absconded, escaped or run away, are likely to endanger their own health, morals and welfare, and the health, morals and welfare of others. The cooperation of the states party to this compact is therefore necessary to provide for the welfare and protection of juveniles and of the public with respect to (1) cooperative supervision of delinquent juveniles on probation or parole; (2) the return, from one state to another, of delinquent juveniles who have escaped or absconded; (3) the return, from one state to another, of non-delinquent juveniles who have run away from home; and (4) additional measures for the protection of juveniles and of the public, which any two or more of the party states may find desirable to undertake cooperatively. In carrying out the provisions of this compact the party states shall be guided by the noncriminal, reformative and protective policies which guide their laws concerning delinquent, neglected or dependent juveniles generally. It shall be the policy of the states party to this compact to cooperate and observe their respective responsibilities for the prompt return and acceptance of juveniles and delinquent juveniles who become subject to the provisions of this compact. The provisions of this compact shall be reasonably and liberally construed to accomplish the foregoing purposes.

ARTICLE II -- Existing Rights and Remedies

That all remedies and procedures provided by this compact shall be in addition to and not in substitution for other rights, remedies and procedures, and shall not be in derogation of parental rights and responsibilities.

ARTICLE III -- Definitions

That, for the purposes of this compact, "delinquent juvenile" means any juvenile who has been adjudged delinquent and who, at the time the provisions of this compact are invoked, is still subject to the jurisdiction of the court that has made such adjudication or to the jurisdiction or supervision of an agency or institution pursuant to an order of such court; "probation or parole" means any kind of conditional release of juveniles authorized under the laws of the states party hereto; "court" means any court having jursidiction over delinquent, neglected or dependent children; "state" means any state, territory or possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico; and "residence" or any variant thereof means a place at which a home or regular place of abode is maintained.

ARTICLE IV -- Return of Runaways

(a) That the parent, guardian, person or agency entitled to legal custody of a juvenile who has not been adjudged delinquent but who has run away without the consent of such parent, guardian, person or agency may petition the appropriate court in the demanding state for the issuance of a requisition for his return. The petition shall state the name and age of the juvenile, the name of the petitioner and the basis of entitlement to the juvenile's custody, the circumstances of his running away, his location if known at the time application is made, and such other facts as may tend to show that the juvenile who has run away is endangering his own welfare or the welfare of others and is not an emancipated minor. The petition shall be verified by affidavit, shall be executed in duplicate, and shall be accompanied by two certified copies of the document or documents on which the petitioner's entitlement to the juvenile's custody is based, such as birth certificates, letters of guardianship, or custody decrees. Such further affidavits and other documents as may be deemed proper may be submitted with such petition. The judge of the court to which this application is made may hold a hearing thereon to determine whether for the purposes of this compact the petitioner is entitled to the legal custody of the juvenile, whether or not it appears that the juvenile has in fact run away without consent, whether or not he is an emancipated minor, and whether or not it is in the best interest of the juvenile to compel his return to the state. If the judge determines, either with or without a hearing, that the juvenile should be returned, he shall present to the appropriate court or to the executive authority of the state where the juvenile is alleged to be located a written requisition for the return of such juvenile. Such requisition shall set forth the name and age of the juvenile, the determination of the court that the juvenile has run away without the consent of a parent, guardian, person or agency entitled to his legal custody, and that it is in the best interest and for the protection of such juvenile that he be returned. In the event that a proceeding for the adjudication of the juvenile as a delinquent, neglected or dependent juvenile is pending in the court at the time when such juvenile runs away, the court may issue a requisition for the return of such juvenile upon its own motion, regardless of the

consent of the parent, guardian, person or agency entitled to legal custody, reciting therein the nature and circumstances of the pending proceeding. The requisition shall in every case be executed in duplicate and shall be signed by the judge. One copy of the requisition shall be filed with the compact administrator of the demanding state, there to remain on file subject to the provisions of law governing records of such court. Upon the receipt of a requisition demanding the return of a juvenile who has run away, the court or the executive authority to whom the requisition is addressed shall issue an order to any peace officer or other appropriate person directing him to take into custody and detain such juvenile. Such detention order must substantially recite the facts necessary to the validity of its issuance hereunder. No juvenile detained upon such order shall be delivered over to the officer whom the court demanding him shall have appointed to receive him, unless he shall first be taken forthwith before a judge of a court in the state, who shall inform him of the demand made for his return, and who may appoint counsel or guardian ad litem for him. If the judge of such court shall find that the requisition is in order, he shall deliver such juvenile over to the officer whom the court demanding him shall have appointed to receive him. The judge, however, may fix a reasonable time to be allowed for the purpose of testing the legality of the proceeding.

Upon reasonable information that a person is a juvenile who has run away from another state party to this compact without the consent of a parent, guardian, person or agency entitled to his legal custody, such juvenile may be taken into custody without a requisition and brought forthwith before a judge of the appropriate court who may appoint counsel or guardian ad litem for such juvenile and who shall determine after a hearing whether sufficient cause exists to hold the person, subject to the order of the court, for his own protection and welfare, for such a time not exceeding 90 days as will enable his return to another state party to this compact pursuant to a requisition for his return from a court of that state. If, at the time when a state seeks the return of a juvenile who has run away, there is pending in the state wherein he is found any criminal charge, or any proceeding to have him adjudicated a delinquent juvenile for an act committed in such state, or if he is suspected of having committed within such state a criminal offense or an act of juvenile delinquency, he shall not be returned without the consent of such state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of any state party to this compact, upon the establishment of their authority and the identity of the juvenile being returned, shall be permitted to transport such juvenile through any and all states party to this compact, without interference. Upon his return to the state from which he ran away, the juvenile shall be subject to such further proceedings as may be appropriate under the laws of that state.

(b) That the state to which a juvenile is returned under this Article shall be responsible for payment of the transportation costs of such return.

(c) That "juvenile" as used in this Article means any person who is a minor under the law of the state of residence of the parent, guardian, person or agency entitled to the legal custody of such minor.

ARTICLE V -- Return of Escapees and Absconders

(a) That the appropriate person or authority from whose probation or parole supervision a delinquent juvenile has absconded or from whose institutional custody he has escaped shall present to the appropriate court or to the executive authority of the state where the delinquent juvenile is alleged to be located a written requisition for the return of such delinquent juvenile. Such requisition shall state the name and age of the delinquent juvenile, the particulars of his adjudication as a delinquent juvenile, the circumstances of the breach of the terms of his probation or parole or of his escape from an institution or agency vested with his legal custody or supervision, and the location of such delinquent juvenile, if known, at the time the requisition is made. The requisition shall be verified by affidavit, shall be executed in duplicate, and shall be accompanied by two certified copies of the judgment, formal adjudication, or order of commitment which subjects such delinquent juvenile to probation or parole or to the legal custody of the institution or agency concerned. Such further affidavits and other documents as may be deemed proper may be submitted with such requisition. One copy of the requisition shall be filed with the compact administrator of the demanding state, there to remain on file subject to the provision of law governing records of the appropriate court. Upon the receipt of a requisition demanding the return of a delinquent juvenile who has absconded or escaped, the court or the executive authority to whom the requisition is addressed shall issue an order to any peace officer or other appropriate person directing him to take into custody and detain such delinquent juvenile. Such detention order must substantially recite the facts necessary to the validity of its issuance hereunder. No delinquent juvenile detained upon such order shall be delivered over to the officer whom the appropriate person or authority demanding him shall have appointed to receive him, unless he shall first be taken forthwith before a judge of an appropriate court in the state, who shall inform him of the demand made for his return and who may appoint counsel or guardian ad litem for him. If the judge of such court shall find that the requisition is in order, he shall deliver such delinquent juvenile over to the officer whom the appropriate person or authority demanding him shall have appointed to receive him. The judge, however, may fix a reasonable time to be allowed for the purpose of testing the legality of the proceeding.

Upon reasonable information that a person is a delinquent juvenile who has absconded while on probation or parole, or escaped from an institution or agency vested with his legal custody or supervision in any state party to this compact, such person may be taken into custody in any other state party to this compact without a requisition. But in such event, he must be taken forthwith before a judge of the appropriate court, who may appoint counsel or guardian ad litem for such person and who shall determine, after a hearing, whether sufficient cause exists to hold the person subject to the order of the court for such a time, not exceeding 90 days, as will enable his detention under a detention order issued on a requisition pursuant to this Article. If, at the time when a state seeks the return of a delinquent juvenile who has either absconded while on probation or parole or escaped from an institution or agency vested with his legal custody or supervision, there is pending in the state wherein he is detained any criminal charge or any proceeding to have him adjudicated a delinquent juvenile for an act committed in such state, or if he is suspected of having committed within

such state a criminal offense or an act of juvenile delinquency, he shall not be returned without the consent of such state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of any state party to this compact, upon the establishment of their authority and the identity of the delinquent juvenile being returned, shall be permitted to transport such delinquent juvenile through any and all states party to this compact, without interference. Upon his return to the state from which he escaped or absconded, the delinquent juvenile shall be subject to such further proceedings as may be appropriate under the laws of that state.

(b) That the state to which a delinquent juvenile is returned under this Article shall be responsible for the payment of the transportation costs of such return.

ARTICLE VI -- Voluntary Return Procedure

That any delinquent juvenile who has absconded while on probation or parole, or escaped from an institution or agency vested with his legal custody or supervision in any state party to this compact, and any juvenile who has run away from any state party to this compact, who is taken into custody without a requisition in another state party to this compact under the provisions of Article IV(a) or of Article V(a), may consent to his immediate return to the state from which he absconded, escaped or ran away. Such consent shall be given by the juvenile or delinquent juvenile and his counsel or guardian ad litem, if any, by executing or subscribing a writing, in the presence of a judge of the appropriate court, which states that the juvenile or delinquent juvenile and his counsel or guardian ad litem, if any, consent to his return to the demanding state. Before such consent shall be executed or subscribed, however, the judge, in the presence of counsel or guardian ad litem, if any, shall inform the juvenile or delinquent juvenile of his rights under this compact. When the consent has been duly executed, it shall be forwarded to and filed with the compact administrator of the state in which the court is located and the judge shall direct the officer having the juvenile or delinquent juvenile in custody to deliver him to the duly accredited officer or officers of the state demanding his return, and shall cause to be delivered to such officer or officers a copy of the consent. The court may, however, upon the request of the state to which the juvenile or delinquent juvenile is being returned, order him to return unaccompanied to such state and shall provide him with a copy of such court order; in such event a copy of the consent shall be forwarded to the compact administrator of the state to which said juvenile or delinquent juvenile is ordered to return.

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ARTICLE VII -- Cooperative Supervision of Probationers and Parolees

(a) That the duly constituted judicial and administrative authorities of a state party to this compact (herein called "sending state") may permit any delinquent juvenile within such state, placed on probation or parole, to reside in any other state party to this compact (herein called "receiving state") while on probation or parole, and the receiving state shall accept such delinquent juvenile, if the parent, guardian or person entitled to the legal custody of such delinquent juvenile is residing or undertakes to reside within the receiving state. Before granting such permission, opportunity shall be given to the receiving state to make such investigations as it deems necessary. The authorities of the sending state shall send to the authorities of the receiving state copies of pertinent court orders, social case studies and all other available information which may be of value to and assist the receiving state in supervising a probationer or parolee under this compact. A receiving state, in its discretion, may agree to accept supervision of a probationer or parolee in cases where the parent, guardian or person entitled to the legal custody of the delinquent juvenile is not a resident of the receiving state, and if so accepted the sending state may transfer supervision accordingly.

(b) That each receiving state will assume the duties of visitation and of supervision over any such delinquent juvenile and in the exercise of those duties will be governed by the same standards of visitation and supervision that prevail for its own delinquent juveniles released on probation or parole.

(c) That, after consultation between the appropriate authorities of the sending state and of the receiving state as to the desirability and necessity of returning such a delinquent juvenile, the duly accredited officers of a sending state may enter a receiving state and there apprehend and retake any such delinquent juvenile on probation or parole. For that purpose, no formalities will be required, other than establishing the authority of the officer and the identity of the delinquent juvenile to be retaken and returned. The decision of the sending state to retake a delinquent juvenile on probation or parole shall be conclusive upon and not reviewable within the receiving state, but if, at the time the sending state seeks to retake a delinquent juvenile on probation or parole, there is pending against him within the receiving state any criminal charge or any proceeding to have him adjudicated a delinquent juvenile for any act committed in such state or if he is suspected of having committed within such state a criminal offense or an act of juvenile delinquency, he shall not be returned without the consent of the receiving state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of the sending state shall be permitted to transport delinquent juveniles being so returned through any and all states party to this compact, without interference.

(d) That the sending state shall be responsible under this Article for paying the costs of transporting any delinquent juvenile to the receiving state or of returning any delinquent juvenile to the sending state.

ARTICLE VIII -- Responsibility for Costs

(a) That the provisions of Articles IV(b), V(b) and VII(d) of this compact shall not be construed to alter or affect any internal relationship among the departments, agencies and officers of and in the government of a party state, or between a party state and its subdivisions, as to the payment of costs, or responsibilities therefor.

(b) That nothing in this compact shall be construed to prevent any party state or subdivision thereof from asserting any right against any person, agency, or other entity in regard to costs for which such party state or subdivision thereof may be responsible pursuant to Articles IV(b), V(b), or VII(d) of this compact.

ARTICLE IX -- Detention Practices

That, to every extent possible, it shall be the policy of states party to this compact that no juvenile or delinquent juvenile shall be placed or detained in any prison, jail or lockup nor be detained or transported in association with criminal, vicious or dissolute persons.

ARTICLE X -- Supplementary Agreements

That the duly constituted administrative authorities of a state party to this compact may enter into supplementary agreements with any other state or states party hereto for the cooperative care, treatment and rehabilitation of delinquent juveniles whenever they shall find that such agreements will improve the facilities or programs available for such care, treatment and rehabilitation. Such care, treatment and rehabilitation may be provided in an institution located within any state entering into such supplementary agreement. Such supplementary agreements shall (1) provide the rates to be paid for the care, treatment and custody of such delinquent juveniles, taking into consideration the character of facilities, services and subsistence furnished; (2) provide that the delinquent juvenile shall be given a court hearing prior to his being sent to another state for care, treatment and custody; (3) provide that the state receiving such a delinquent juvenile in one of its institutions shall act solely as agent for the state sending such delinquent juvenile; (4) provide that the sending state shall at all times retain jurisdiction over delinquent juveniles sent to an institution in another state; (5) provide for reasonable inspection of such institutions by the sending state; (6) provide that the consent of the parent, guardian, person or agency entitled to the legal custody of said delinquent juvenile shall be secured prior to his being sent to another

state; and (7) make provision for such other matters and details as shall be necessary to protect the rights and equities of such delinquent juveniles and of the cooperating states.

ARTICLE XI -- Acceptance of Federal and Other Aid

That any state party to this compact may accept any and all donations, gifts and grants of money, equipment and services from the federal or any local government, or any agency thereof and from any person, firm or corporation, for any of the purposes and functions of this compact, and may receive and utilize, the same subject to the terms, conditions and regulations governing such donations, gifts and grants.

ARTICLE XII -- Compact Administrators

That the governor of each state party to this compact shall designate an officer who, acting jointly with like officers of other party states, shall promulgate rules and regulations to carry out more effectively the terms and provisions of this compact.

ARTICLE XIII -- Execution of Compact

That this compact shall become operative immediately upon its execution by any state as between it and any other state or states so executing. When executed it shall have the full force and effect of law within such state, the form of execution to be in accordance with the laws of the executing state.

ARTICLE XIV -- Renunciation

That this compact shall continue in force and remain binding upon each executing state until renounced by it. Renunciation of this compact shall be by the same authority which executed it, by sending six months notice in writing of its intention to withdraw from the compact to the other states party hereto. The duties and obligations of a renouncing state under Article VII hereof shall continue as to parolees and probationers residing therein at the time of withdrawal until retaken or finally discharged. Supplementary agreements entered

into under Article X hereof shall be subject to renunciation as provided by such supplementary agreements, and shall not be subject to the six months' renunciation notice of the present Article.

ARTICLE XV -- Severability

That the provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any participating state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstances shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

ARTICLE XVI -- Additional Article (Optional)

That this article shall provide additional remedies, and shall be finding only as among and between those party states which specifically execute the same.

For the purposes of this article, "child," as used herein, means any minor within the jurisdictional age limits of any court in the home state.

When any child is brought before a court of a state of which such child is not a resident, and such state is willing to permit such child's return to the home state of such child, such home state, upon being so advised by the state in which such proceeding is pending, shall immediately institute proceedings to determine the residence and jurisdictional facts as to such child in such home state, and upon finding that such child is in fact a resident of said state and subject to the jurisdiction of the court thereof, shall within five days authorize the return of such child to the home state, and to the parent or custodial agency legally authorized to accept such custody in such home state, and at the expense of such home state, to be paid from such funds as such home state may procure, designate, or provide, prompt action being of the essence.

Amendment to the Interstate Compact on Juveniles Concerning Interstate Rendition of Juveniles Alleged to Be Delinquent

(a) This amendment shall provide additional remedies, and shall be binding only as among and between those party states which specifically execute the same.

(b) All provisions and procedures of Articles V and VI of the Interstate Compact on Juveniles shall be construed to apply to any juvenile charged with being a delinquent by reason of a violation of any criminal law. Any juvenile, charged with being a delinquent by reason of violating any criminal law shall be returned to the requesting state upon a requisition to the state where the juvenile may be found. A petition in such case shall be filed in a court of competent jurisdiction in the requesting state where the violation of criminal law is alleged to have been committed. The petition may be filed regardless of whether the juvenile has left the state before or after the filing of the petition. The requisition described in Article V of the compact shall be forwarded by the judge of the court in which the petition has been filed.

Amendment to the Interstate Compact on Juveniles Concerning Out-of-State Confinement

(a) Whenever the duly constituted judicial or administrative authorities in a sending state shall determine that confinement of a probationer or reconfinement of a parolee is necessary or desirable, said officials may direct that the confinement or reconfinement be in an appropriate institution for delinquent juveniles within the territory of the receiving state, such receiving state to act in that regard solely as agent for the sending state.

(b) Escapees and absconders who would otherwise be returned pursuant to Article V of the compact may be confined or reconfined in the receiving state pursuant to this amendment. In any such case the information and allegations required to be made and furnished in a requisition pursuant to such Article shall be made and furnished, but in place of the demand pursuant to Article V, the sending state shall request confinement or reconfinement in the receiving state. Whenever applicable, detention orders as provided in Article V may be employed pursuant to this paragraph preliminary to disposition of the escapee or absconder

(c) The confinement or reconfinement or a parolee, probationer, escapee, or absconder pursuant to this amendment shall require the concurrence of the appropriate judicial or administrative authorities of the receiving state.

(d) As used in this amendment: (1) "sending state" means sending state as that term is used in Article VII of the compact or the state from which a delinquent juvenile has escaped or absconded within the meaning of Article V of the compact; (2) "receiving state" means any state, other than the sending state,

in which a parolee, probationer, escapee, or absconder may be found, provided that said state is a party to this amendment.

(e) Every state which adopts this amendment shall designate at least one of its institutions for delinquent juveniles as a "Compact Institution" and shall confine persons therein as provided in Paragraph (a) hereof unless the sending and receiving state in question shall make specific contractual arrangements to the contrary. All states party to this amendment shall have access to "Compact Institutions" at all reasonable hours for the purpose of inspecting the facilities thereof and for the purpose of visiting such of said state's delinquents as may be confined in the institution.

(f) Persons confined in "Compact Institutions" pursuant to the terms of this compact shall at all times be subject to the jursdiction of the sending state and may at any time be removed from said "Compact Institution" for transfer to an appropriate institution within the sending state, for return to probation or parole, for discharge, or for any purpose permitted by the laws of the sending state.

(g) All persons who may be confined in a "Compact Institution" pursuant to the provisions of this amendment shall be treated in a reasonable and humane manner. The fact of confinement or reconfinement in a receiving state shall not deprive any person so confined or reconfined of any rights which said person would have had if confined or reconfined in an appropriate institution of the sending state; nor shall any agreement to submit to confinement or reconfinement pursuant to the terms of this amendment be construed as a waiver of any rights which the delinquent would have had if he had been confined or reconfined in any appropriate institution of the sending state except that the hearing or hearings, if any, to which a parolee, probationer, escapee, or absconder may be entitled (prior to confinement or reconfinement) by the laws of the sending state may be had before the appropriate judicial or administrative officers of the receiving state. In this event, said judicial and administrative officers shall act as agents of the sending state after consultation with appropriate officers of the sending state.

(h) Any receiving state incurring costs or other expenses under this amendment shall be reimbursed in the amount of such costs or other expenses by the sending state unless the states concerned shall specifically otherwise agree. Any two or more states party to this amendment may enter into supplementary agreements determining a different allocation of costs as among themselves.

(i) This amendment shall take initial effect when entered into by any two or more states party to the compact and shall be effective as to those states which have specifically enacted this amendment. Rules and regulations necessary to effectuate the terms of this amendment may be promulgated by the appropriate officers of those states which have enacted this amendment.

APPENDIX C

INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN AND RELATED STATUTES

Ala. Code, Secs. 44-2-20 thru 44-2-26 (1980)
Alaska Stat., Secs. 47.70.010 thru 47.70.080 (1976)
Ariz. Rev. Stat. Ann., Secs. 8-548 thru 8-548.06 (1976)
Ark., Act 477 (1979)
Calif. Civ. Code, Secs. 264 thru 274 (1974)
Colo. Rev. Stat. Ann., Secs. 24-60-1801 thru 24-60-1803 (1975)
Conn. Gen. Stat. Ann., Secs. 17-81a thru 17-81i (1967)
Del. Code Ann., Title 31, Secs. 381 thru 389 (1969)
Fla. Stat. Ann., Secs. 409.401 thru 409.405 (1974)
Ga. Code Ann., Secs. 99-4701 thru 99-4709 (1977)
Idaho Code, Secs. 16-2101 thru 16-2107 (1976)
Ill. Rev. Stat., Ch. 23, Secs. 2601 thru 2609 (1974)
Ind. Code, 1978 Supp., Ch. 23, Secs. 12-3-23-1 thru 12-3-23-8 (1978)
Iowa Code Ann., Secs. 238.33 thru 238.45 (1967)
Kans. Stat. Ann., Secs. 38-1201 thru 38-1206 (1976)
Ky. Rev. Stat. Ann., Secs. 199.341 thru 199.347 (1966)
La. Rev. Stat. Ann., Secs. 47.1700 thru 46.1706 (1968)
Me. Rev. Stat. Ann., Title 22, Secs. 4191 thru 4200 (1961)
Md. Ann. Code, Art. 16, Secs. 208 thru 212F (1975)
Mass. Gen. Laws Ann., Ch. 119 (App.), Secs. 2-1 thru 2-8 (1963)
Minn. Stat. Ann., Secs. 257.[illegible]0 thru 257.48 (1973)
Miss. Code Ann., Secs. 43-18-1 thru 43-18-17 (1976)
Mo. Rev. Stat., Secs. 210.620 thru 210.640 (19[illegible]5)
Mont. Rev. Codes Ann., Secs. 10-1401 thru 10-1409 (1975)
Neb. Rev. Stat., Sec. 43-1101 (1974)
N.H. Rev. Stat. Ann., Secs. 170-A:1 thru 170-A:6 (1965)
N.M. S.B. 209 (1977)
N.Y. Soc. Serv. Law, Sec. 374a (1960)
N.C. Gen. Stat., Secs. 110-57.1 thru 110-57.7 (1971)
N.D. Cent. Code, Secs. 14-13-01 thru 14-13-08 (1963)
Ohio Rev. Code Ann., Secs. 5103.20 thru 5103.28 (1976)
Okla. Stat. Ann., Title 10, Secs. 571 thru 576 (1974)
Ore. Rev. Stat., Secs. 417.200 thru 417.260 (1975)
Pa. Stat. Ann., Title 62, Secs. 761 thru 765 (1973)
R.I. Gen. Laws Ann., Secs. 40-15-1 thru 40-15-10 (1967)
S.C., Art. 1, Act 469 (1980)
S.D. Compiled Laws Ann., Secs. 26-13-1 thru 26-13-9 (1974)
Tenn. Code Ann., Secs. 37-1401 thru 37-1409 (1974)
Tex. Rev. Civ. Stat. Ann., Art. 695a-2 (1975)
Utah Code Ann., Secs. 55-8b-1 thru 55-8b-8 (1975)
Vt. Stat. Ann., Title 33, Secs. 3151 thru 3160 (1972)
Va. Code Ann., Secs. 63.1-219.1 thru 63.1-219.6 (1975)
Wash. Rev. Code Ann., Secs. 26.34.010 thru 26.34.080 (1971)
W.Va. Code Ann., Secs. 49-2A-1 thru 49-2A-2 (1975)
Wis., Ch. 354, Laws of 1977
Wyo. Stat. Ann., Secs. 14-4-101 thru 14-4-109 (1963)

INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN

ARTICLE I. Purpose and Policy

It is the purpose and policy of the party states to cooperate with each other in the interstate placement of children to the end that:

(a) Each child requiring placement shall receive the maximum opportunity to be placed in a suitable environment and with persons or institutions having appropriate qualifications and facilities to provide a necessary and desirable degree and type of care.

(b) The appropriate authorities in a state where a child is to be placed may have full opportunity to ascertain the circumstances of the proposed placement, thereby promoting full compliance with applicable requirements for the protection of the child.

(c) The proper authorities of the state from which the placement is made may obtain the most complete information on the basis of which to evaluate a projected placement before it is made.

(d) Appropriate jurisdictional arrangements for the care of children will be promoted.

ARTICLE II. Definitions

As used in this compact:

(a) "Child" means a person who, by reason of minority, is legally subject to parental, guardianship or similar control.

(b) "Sending agency" means a party state, officer or employee thereof; a subdivision of a party state, or officer or employee thereof; a court of a party state; a person, corporation, association, charitable agency or other entity which sends, brings, or causes to be sent or brought any child to another party state.

(c) "Receiving state" means the state to which the child is sent, brought, or caused to be sent or brought, whether by public authorities or private persons or agencies, and whether for placement with state or local public authorities or for placement with private agencies or persons.

(d) "Placement" means the arrangement for the care of a child in a family free or boarding home or in a child-caring agency or institution but does not include any institution caring for the mentally ill, mentally defective or epileptic or any institution primarily educational in character, and any hospital or other medical facility.

ARTICLE III. Conditions for Placement

(a) No sending agency shall send, bring, or cause to be sent or brought into any other party state any child for placement in foster care or as a preliminary to a possible adoption unless the sending agency shall comply with each and every requirement set forth in this article and with the applicable laws of the receiving state governing the placement of children therein.

(b) Prior to sending, bringing or causing any child to be sent or brought into a receiving state for placement in foster care or as a preliminary to a possible adoption, the sending agency shall furnish the appropriate public authorities in the receiving state written notice of the intention to send, bring, or place the child in the receiving state. The notice shall contain:

(1) The name, date and place of birth of the child.

(2) The identity and address or addresses of the parents or legal guardian.

(3) The name and address of the person, agency or institution to or with which the sending agency proposes to send, bring, or place the child.

(4) A full statement of the reasons for such proposed action and evidence of the authority pursuant to which the placement is proposed to be made.

(c) Any public officer or agency in a receiving state which is in receipt of a notice pursuant to paragraph (b) of this article may request of the sending agency, or any other appropriate officer or agency of or in the sending agency's state, and shall be entitled to receive therefrom, such supporting or additional information as it may deem necessary under the circumstances to carry out the purpose and policy of this compact.

(d) The child shall not be sent, brought, or caused to be sent or brought into the receiving state until the appropriate public authorities in the receiving state shall notify the sending agency, in writing, to the effect that the proposed placement does not appear to be contrary to the interests of the child.

ARTICLE IV. Penalty for Illegal Placement

The sending, bringing, or causing to be sent or brought into any receiving state of a child in violation of the terms of this compact shall constitute a violation of the laws respecting the placement of children of both the state in which the sending agency is located or from which it sends or brings the child and of the receiving state. Such violation may be punished or subjected to penalty in either jurisdiction in accordance with its laws. In addition to liability for any such punishment or penalty, any such violation shall constitute full and sufficient grounds for the suspension or revocation of any license, permit, or other legal authorization held by the sending agency which empowers or allows it to place, or care for children.

ARTICLE V. Retention of Jurisdiction

(a) The sending agency shall retain jurisdiction over the child sufficient to determine all matters in relation to the custody, supervision, care, treatment and disposition of the child which it would have had if the child had remained in the sending agency's state, until the child is adopted, reaches majority, becomes self-supporting or is discharged with the concurrence of the appropriate authority in the receiving state. Such jurisdiction shall also include the power to effect or cause the return of the child or its transfer to another location and custody pursuant to law. The sending agency shall continue to have financial responsibility for support and maintenance of the child during the period of the placement. Nothing contained herein shall defeat a claim of jurisdiction by a receiving state sufficient to deal with an act of delinquency or crime committed therein.

(b) When the sending agency is a public agency, it may enter into an agreement with an authorized public or private agency in the receiving state providing for the performance of one or more services in respect of such case by the latter as agency for the sending agency.

(c) Nothing in this compact shall be construed to prevent a private charitable agency authorized to place children in the receiving state from performing services or acting as agent in that state for a private charitable agency of the sending state; nor to prevent the agency in the receiving state from discharging financial responsibility for the support and maintenance of a child who has been placed on behalf of the sending agency without relieving the responsibility set forth in paragraph (a) hereof.

ARTICLE VI. Institutional Care of Delinquent Children

A child adjudicated delinquent may be placed in an institution in another party jurisdiction pursuant to this compact but no such placement shall be made unless the child is given a court hearing on notice to the parent or guardian with opportunity to be heard, prior to his being sent to such other party jurisdiction for institutional care and the court finds that:

1. Equivalent facilities for the child are not available in the sending agency's jurisdiction, and

2. Institutional care in the other jurisdiction is in the best interest of the child and will not produce undue hardship.

ARTICLE VII. Compact Administrator

The executive head of each jurisdiction party to this compact shall designate an officer who shall be general coordinator of activities under this compact in his jurisdiction and who, acting jointly with like officers of other party jurisdictions, shall have power to promulgate rules and regulations to carry out more effectively the terms and provisions of this compact.

ARTICLE VIII. Limitations

This compact shall not apply to:

(a) The sending or bringing of a child into a receiving state by his parent, step-parent, grandparent, adult brother or sister, adult uncle or aunt, or his guardian and leaving the child with any such relative or non-agency guardian in the receiving state.

(b) Any placement, sending or bringing of a child into a receiving state pursuant to any other interstate compact to which both the state from which the child is sent or brought and the receiving state are party, or to any other agreement between said states which has the force of law.

ARTICLE IX. Enactment and Withdrawal

This compact shall be open to joinder by any state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and, with the consent of Congress, the Government of Canada or any province therof. It shall become effective with respect to any such jurisdiction when such jurisdiction has enacted the same into law. Withdrawal from this compact shall be by the enactment of a statute repealing the same, but shall not take effect until two years after the effective date of such statute and until written notice of the withdrawal has been given by the withdrawing state to the Governor of each other party jurisdiction. Withdrawal of a party state shall not affect the rights, duties and obligations under this compact of any sending agency therein with respect to a placement made prior to the effective date of withdrawal.

ARTICLE X. Construction and Severability

The provisions of this compact shall be liberally construed to effectuate the purposes therof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability therof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state party thereto, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

APPENDIX D

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INTERSTATE COMPACT ON MENTAL HEALTH

Ala. Code, Secs. 22-55-1 thru 22-5-4 (1975)
Alaska Stat., Sec. 47.30.180 (1959)
Ark. Stat. Ann., Secs. 59-401 thru 59-406 (1959)
Colo. Rev. Stat., Secs. 24-60-1001 thru 24-60-1006 (1965)
Conn. Gen. Stat., Secs. 17-258 thru 17-261 (1955)
Del. Code Ann., Ch. 61, Secs. 6101 thru 6105 (1962)
Fla. Stat. Ann., Secs. 394.479 thru 394.484 (1971)
Ga. Code Ann., Secs. 99-3801 thru 99-3817 (1973)
Hawaii Rev. Stat., Secs. 335-1 thru 335-5 (1967)
Idaho Code, Secs. 66-1201 thru 66-1205 (1961)
Ill. Ann. Stat., Ch. 91.5, Secs. 50-1 thru 50-5 (1965)
Ind. Code, Secs. 16-13-8-1 thru 16-13-8-5 (1959)
Iowa Code Ann., Secs. 218A.1 thru 218A.6 (1962)
Kans. Stat. Ann., Secs. 65-3101 thru 65-3106 (1967)
Ky. Rev. Stat., Secs. 210.520 thru 210.550 (1958)
La. Rev. Stat. Ann., Secs. 28:721 thru 28:726 (1958)
Me. Rev. Stat. Ann., Secs. 2561 thru 2574 (1957)
Md. Ann. Code, Art. 41, Secs. 319 thru 338 (1963)
Mass. Gen. Laws Ann., Ch. 123 (App.), Secs. 1-1 thru 1-4 (1956)
Mich. Stat. Ann., Secs. 14.800(920) thru 14.800(930) (1965)
Minn. Stat. Ann., Secs. 245.51 thru 245.53 (1957)
Mo. Stat. Ann., Secs. 202.880 thru 202.895 (1959)
Mont. Rev. Code, Sec. 80-2412 (1971)
Neb. Rev. Stat., Secs. 83-801 thru 83-806 (1969)
N.H. Rev. Stat. Ann., Secs. 135-A:1 thru 135-A:6 (1957)
N.J. Stat. Ann., Secs. 30:7B-1 thru 30:7B-18 (1956)
N.M. Stat. Ann., Secs. 34-5-1 thru 34-5-5 (1969)
N.Y. Mental Hygiene Law, Sec. 67.07 (1956)
N.C. Gen. Stat., Secs. 122-99 thru 122-104 (1959)
N.D. Cent. Code, Secs. 25-11-01 thru 25-11-06 (1963)
Ohio Rev. Code Ann., Secs. 5123.63 thru 5123.66 (1959)
Okla. Stat. Ann., Title 43A, Secs. 501 thru 506 (1959)
Ore. Rev. Stat., Secs. 428.310 thru 428.330 (1957)
Pa. Stat. Ann., Title 62, Secs. 1121 thru 1126 (1961)
R.I. Gen. Laws, Secs. 26-6-1 thru 26-6-3 (1957)
S.C. Code, Sec. 32.1051 (1959)
S.D. Codified Laws, Secs. 27A-6-1 thru 27A-6-5 (1959)
Tenn. Code Ann., Secs. 33.1501 thru 33.1506 (1971)
Tex. Ann. Civ. Stat., Art. 5561f (1969)
Vt. Stat. Ann., Title 18, Secs. 9001 thru 9052 (1959)
Wash. Rev. Code, Ch. 72.27 (1965)
W.Va. Code, Secs. 27-14-1 thru 27-14-5 (1957)
Wis. Stat. Ann., Secs. 51.75 thru 51.80 (1965)
Wyo. Stat., Secs. 25-4-101 thru 25-4-106 (1969)
D.C. Code, Secs. 6-1601 thru 6-1606 (1972)

INTERSTATE COMPACT ON MENTAL HEALTH

Section 1. The Interstate Compact on Mental Health is hereby enacted into law and entered into by this state with all other states legally joining therein in the form substantially as follows:

The contracting states solemnly agree that:

Article I

The party states find that the proper and expeditious treatment of the mentally ill and mentally deficient can be facilitated by cooperative action, to the benefit of the patients, their families, and society as a whole. Further, the party states find that the necessity of and desirability for furnishing such care and treatment bear no primary relation to the residence or citizenship of the patient but that, on the contrary, the controlling factors of community safety and humanitarianism require that facilities and services be made available for all who are in need of them. Consequently, it is the purpose of this compact and of the party states to provide the necessary legal basis for the institutionalization or other appropriate care and treatment of the mentally ill and mentally deficient under a system that recognizes the paramount importance of patient welfare and to establish the responsibilities of the party states in terms of such welfare.

Article II

As used in this compact:

(a) "Sending state" shall mean a party state from which a patient is transported pursuant to the provisions of this compact or from which it is contemplated that a patient may be so sent.

(b) "Receiving state" shall mean a party state to which a patient is transported pursuant to the provisions of the compact or to which it is contemplated that a patient may be so sent.

(c) "Institution" shall mean any hospital or other facility maintained by a party state or political subdivision thereof for the care and treatment of mental illness or mental deficiency.

(d) "Patient" shall mean any person subject to or eligible as determined by the laws of the sending state, for institutionalization or other care, treatment, or supervision pursuant to the provisions of this compact.

(e) "After-care" shall mean care, treatment and services provided a patient, as defined herein, on convalescent status or conditional release.

(f) "Mental illness" shall mean mental disease to such extent that a person so afflicted requires care and treatment for his own welfare, or the welfare of others, or of the community.

(g) "Mental deficiency" shall mean mental deficiency as defined by appropriate clinical authorities to such extent that a person so afflicted is incapable of managing himself and his affairs, but shall not include mental illness as defined herein.

(h) "State" shall mean any state, territory or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

Article III

(a) Whenever a person physically present in any party state shall be in need of institutionalization by reason of mental illness or mental deficiency, he shall be eligible for care and treatment in an institution in that state irrespective of his residence, settlement or citizenship qualifications.

(b) The provisions of paragraph (a) of this article to the contrary notwithstanding, any patient may be transferred to an institution in another state whenever there are factors based upon clinical determinations indicating that the care and treatment of said patient would be facilitated or improved thereby. Any such institutionalization may be for the entire period of care and treatment or for any portion or portions thereof. The factors referred to in this paragraph shall include the patient's full record with due regard for the location of the patient's family, character of the illness and probable duration thereof, and such other factors as shall be considered appropriate.

(c) No state shall be obliged to receive any patient pursuant to the provisions of paragraph (b) of this article unless the sending state has given advance notice of its intention to send the patient; furnished all available medical and other pertinent records concerning the patient; given the qualified medical or other appropriate clinical authorities of the receiving state an opportunity to examine the patient if said authorities so wish; and unless the receiving state shall agree to accept the patient.

(d) In the event that the laws of the receiving state establish a system of priorities for the admission of patients, an interstate patient under this compact shall receive the same priority as a local patient and shall be taken in the same order and at the same time that he would be taken if he were a local patient.

(e) Pursuant to this compact, the determination as to the suitable place of institutionalization for a patient may be reviewed at any time and such further transfer of the patient may be made as seems likely to be in the best interest of the patient.

Article IV

(a) Whenever, pursuant to the laws of the state in which a patient is physically present, it shall be determined that the patient should receive after-care or supervision, such care or supervision may be provided in a receiving state. If the medical or other appropriate clinical authorities having responsibility for the care and treatment of the patient in the sending state shall have reason to believe that after-care in another state would be in the best interest of the patient and would not jeopardize the public safety, they shall request the appropriate authorities in the receiving state to investigate the desirability of affording the patient such after-care in said receiving state, and such investigation shall be made with all reasonable speed. The request for investigation shall be accompanied by complete information concerning the patient's intended place of residence and the identity of the person in whose charge it is proposed to place the patient, the complete medical history of the patient, and such other documents as may be pertinent.

(b) If the medical or other appropriate clinical authorities having responsibility for the care and treatment of the patient in the sending state and the appropriate authorities in the receiving state find that the best interest of the patient would be served thereby, and if the public safety would not be jeopardized thereby, the patient may receive after-care or supervision in the receiving state.

(c) In supervising, treating, or caring for a patient on after-care pursuant to the terms of this article, a receiving state shall employ the same standards of visitation, examination, care, and treatment that it employs for similar local patients.

Article V

Whenever a dangerous patient escapes from an institution in any party state, that state shall promptly notify all appropriate authorities within and without the jurisdiction of the escape in a manner reasonably calculated to facilitate

the speedy apprehension of the escapee. Immediately upon the apprehension and identification of any such dangerous or potentially dangerous patient, he shall be detained in the state where found pending disposition in accordance with law.

Article VI

The duly accredited officers of any state party to this compact, upon the establishment of their authority and the identity of the patient, shall be permitted to transport any patient being moved pursuant to this compact through any and all states party to this compact, without interference.

Article VII

(a) No person shall be deemed a patient of more than one institution at any given time. Completion of transfer of any patient to an institution in a receiving state shall have the effect of making the person a patient of the institution in the receiving state.

(b) The sending state shall pay all costs of and incidental to the transportation of any patient pursuant to this compact, but any two or more party states may, by making a specific agreement for that purpose, arrange for a different allocation of costs as among themselves.

(c) No provision of this compact shall be construed to alter or affect any internal relationships among the departments, agencies and officers of and in the government of a party state, or between a party state and its subdivisions, as to the payment of costs, or responsibilities therefor.

(d) Nothing in this compact shall be construed to prevent any party state or subdivision thereof from asserting any right against any person, agency or other entity in regard to costs for which such party state or subdivision thereof may be responsible pursuant to any provision of this compact.

(e) Nothing in this compact shall be construed to invalidate any reciprocal agreement between a party state and a non-party state relating to institutionalization, care or treatment of the mentally ill or mentally deficient, or any statutory authority pursuant to which such agreements may be made.

Article VIII

(a) Nothing in this compact shall be construed to abridge, diminish, or in any way impair the rights, duties, and responsibilities of any patient's guardian on his own behalf or in respect of any patient for whom he may serve, except that where the transfer of any patient to another jurisdiction makes advisable the appointment of a supplemental or substitute guardian, any court of competent jurisdiction in the receiving state may make such supplemental or substitute appointment and the court which appointed the previous guardian shall upon being duly advised of the new appointment, and upon the satisfactory completion of such accounting and other acts as such court may by law require, relieve the previous guardian of power and responsibility to whatever extent shall be appropriate in the circumstances; provided, however, that in the case of any patient having settlement in the sending state, the court of competent jurisdiction in the sending state shall have the sole discretion to relieve a guardian appointed by it or continue his power and responsibility, whichever it shall deem advisable. The court in the receiving state may, in its discretion, confirm or reappoint the person or persons previously serving as guardian in the sending state in lieu of making a supplemental or substitute appointment.

(b) The term "guardian" as used in paragraph (a) of this article shall include any guardian, trustee, legal committee, conservator, or other person or agency however denominated who is charged by law with power to act for or responsibility for the person or property of a patient.

Article IX

(a) No provision of this compact except Article V shall apply to any person institutionalized while under sentence in a penal or correctional institution or while subject to trial on a criminal charge, or whose institutionalization is due to the commission of an offense for which, in the absence of mental illness or mental deficiency, said person would be subject to incarceration in a penal or correctional institution.

(b) To every extent possible, it shall be the policy of states party to this compact that no patient shall be placed or detained in any prison, jail or lockup, but such patient shall, with all expedition, be taken to a suitable institutional facility for mental illness or mental deficiency.

ARTICLE X

(a) Each party state shall appoint a "compact administrator" who, on behalf of his state, shall act as general coordinator of activities under the compact in his state and who shall receive copies of all reports, correspondence, and other documents relating to any patient processed under the compact by his state either in the capacity of sending or receiving state. The compact administrator or his duly designated representative shall be the official with whom other party states shall deal in any matter relating to the compact or any patient processed thereunder.

(b) The compact administrators of the respective party states shall have power to promulgate reasonable rules and regulations to carry out more effectively the terms and provisions of this compact.

Article XI

The duly constituted administrative authorities of any two or more party states may enter into supplementary agreements for the provision of any service or facility or for the maintenance of any institution on a joint or cooperative basis whenever the states concerned shall find that such agreements will improve services, facilities, or institutional care and treatment in the fields of mental illness or mental deficiency. No such supplementary agreements shall be construed so as to relieve any party state of any obligation which it otherwise would have under other provisions of this compact.

ABOUT THE AUTHORS

John C. Hall has been involved in the field of juvenile justice and youth services as a practitioner, planner, and researcher for the past 11 years. His understanding of juvenile corrections was shaped through work in correctional institutions, community-based corrections, and national research on the issues of deinstitutionalization and institutional child abuse and neglect. He has been engaged in many research projects over the years, including work conducted by the National Assessment of Juvenile Corrections at the University of Michigan, the National Clearinghouse for Criminal Justice Planning and Architecture at the University of Illinois, and both the Program for the Study of Crime and Delinquency and the College of Social Work at Ohio State University. He served as Assistant Director of this Project and as the Principal Investigator of the Out-of-State Placement of Children Study. Mr. Hall was a Fellow of the Social Policy Center at the Academy.

Bruce S. Barker brings a rich and diverse background in social program planning and research to the MIJJIT project. Previous assignments involved him in research into the service needs of handicapped persons in Ohio and in a two-state study on child welfare staff development. He helped to plan a residential program for the elderly handicapped, which was subsequently developed as a national model. He developed an assessment of the state's workers compensation program for the Ohio House of Representatives. Mr. Barker was also a practitioner for a number of years in inpatient and outpatient psychiatric and substance abuse programs, and in programs for the elderly in California. He taught at the College of Social Work at Ohio State University. He is a Research Associate of the Academy and is on the staff of the Out-of-State Placement of Children Study.

Molly A. Parkhill received her master's degrees in August, 1981 in Public Administration and Social Work at Ohio State University. She has been involved in numerous research projects, some of which include a two-state study on child welfare staff development, a study on spatial competence of the mentally retarded, a national study on institutional child abuse, and a study on the pre-retirement planning and attitudes of black professionals. She also has been a research lab instructor for the College of Social Work and the Department of Psychology at Ohio State University. Ms. Parkhill is a Research Assistant of the Academy and is a staff member of the Out-of-State Placement of Children Study.

Judith L. Pilotta has been a sociologist and educator for much of her professional career. She has also been involved in direct social services as a child welfare worker and has aided in paraprofessional training of social work students. She has worked on several social science research projects, the most recent being the Alternative Futures for Ontario Project at the Ontario Institute for Studies in Education (OISE). Her work toward a doctorate degree in education theory is focused on social and political reform movements for handicapped children. Ms. Pilotta is a Research Associate of the Academy and is a staff member of the Out-of-State Placement of Children Study.

Joseph L. White is Director of the Major Issues in Juvenile Justice Information and Training Project and Senior Fellow of the Social Policy Center at the Academy. Previous employment included such posts as Director of the Ohio Youth Commission, Director of the Ohio State Criminal Justice Planning Agency, and Assistant Attorney General for the State of Ohio.

He holds a bachelor's degree in political science, a master's in social work, and a juris doctorate. At present he is an adjunct assistant professor of social work at Ohio State University. Dr. White serves as permanent consultant to the Council of State Governments, and as consultant to numerous state and federal agencies. He was a member of the National Advisory Commission on Standards and Goals Police Task Force. Although he has authored numerous articles and monographs, he is probably best known for two works published by the Council of State Governments, Status Offenders: A Working Definition and The Future of Criminal Justice Planning.